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CONNECTICUT SCHOOL DOCUMENT

No. 1 — 1900

(WHOLE NUMBER — 175)

LAWS RELATING TO SCHOOLS



1900

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C83

1900

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OF THE
State Board of Education
1900

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SECRETARY OF THE BOARD
CHARLES D. HINE, Hartford

OFFICE
Room 42, CAPITOL, Hartford

NOTE

At the margin of each section will be found the number of the same section in the General Statutes, Revision of 1888, or the Chapter of Public Acts where sections enacted since 1888 may be found.

CHARLES D. HINE

Secretary

PUBLIC ACTS OF 1899

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	2	40
71		63
104	1	16
	2	17
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CONSTITUTION OF CONNECTICUT

[ARTICLE EIGHT]

Of Education

Section 1. The charter of Yale College, as modified Charter of Yale College. by agreement with the corporation thereof, in pursuance of an act of the General Assembly, passed in May, 1792, is hereby confirmed.

Sec. 2. The fund, called the SCHOOL FUND, shall re- School fund. main a perpetual fund, the interest of which shall be inviolably appropriated to the support and encouragement of the public or common schools throughout the State, and for the equal benefit of all the people thereof. The value and amount of said fund shall, as soon as practicable, be ascertained in such manner as the General Assembly may prescribe, published and recorded in the Comptroller's office; and no law shall ever be made authorizing said fund to be diverted to any other use than the encouragement and support of public or common schools, among the several school societies, as justice and equity shall require.

LAWS

RELATING TO EDUCATION

CHAPTER I

State Board of Education

[GEN. STAT., TITLE XXXV, CHAPTER CXXX, PAGE 456]

SECTION

1. Quorum, term of office, appointment, vacancies, secretary, duties, salary, clerks.
2. Duties, powers, teachers' meetings, expenses, annual report, etc.
3. Appointment and report of agent.
4. Enforcement of act relating to employment of children under 14; compensation of agents.
5. Teachers' certificates.
6. Account of appropriation for libraries and apparatus.
7. Expenses and account; orders how signed.
8. Normal School, object and annual appropriation; training department.
9. Number and recommendation of students.

SECTION

10. Selection of students.
11. Expenditure of funds; regulation of school; account; report.
12. Model primary school.
13. Enumeration of children in County Homes.
14. County commissioners may establish schools at County Homes.
15. County commissioners may employ and pay teachers; State Board of Education to examine teachers, and may appoint acting visitor or visitors.
16. Schools to be furnished with blanks and test cards for eyesight test and reports.
17. Eyesight test and reports to be made by certain persons.

1898. ch. cxxxvii.
Quorum, term of
office, appoint-
ment, vacancies.

Sec. 1. There shall be a State Board of Education composed of the Governor, Lieutenant-Governor, and four persons to be appointed as hereinafter provided. Three members shall constitute a *quorum* at the meetings of said board. The terms of the members of said board, except the governor and lieutenant-governor, shall be four years,¹ and the term of one member shall expire on the first day of July in each year, the term of Edward D.

¹The terms of office of members other than the Governor and Lieutenant-Governor begin on the first day of July following their appointment.— G. S., sec. 427.

The members are paid their necessary expenses.— G. S., sec. 3706.

Robbins of Wethersfield expiring on July 1, 1895, the term of Anthony Ames of Killingly expiring on the first day of July, 1896, the term of George M. Carrington of Winsted expiring on the first day of July, 1897, and the term of William G. Sumner of New Haven expiring on the first day of July, 1898. The General Assembly, at each regular session, shall appoint persons to fill the vacancies to arise before the next regular session of the General Assembly by expiration of such terms of office. All such vacancies not filled by the General Assembly and all vacancies otherwise arising shall be filled by the Governor and Lieutenant-Governor for the unexpired term so left unfilled.

The board shall appoint a secretary, who shall under its direction and control perform such services in the execution of its duties and powers as the board may prescribe,¹ and who shall be paid such salary as the board may determine. The board shall have power to hire necessary clerks, who shall assist the secretary and shall perform such clerical and other duties as the board or the secretary shall prescribe.

Sec. 2. The board shall have general supervision and control of the educational interests of the State;

May direct what books shall be used in all its schools, but shall not direct any book to be changed oftener than once in five years ;²

Shall prescribe the form of registers³ to be kept in said schools, and the form of blanks and inquiries for the

¹ Duties and powers prescribed by statute are :

1. To make return to Comptroller of delinquent towns and forfeitures, sec. 92.
2. To draw orders for library money, sec. 172.
3. To furnish blanks and registers to private schools, sec. 20.
4. To sign orders for State money drawn from treasury, sec. 7.
5. To inspect certificates of attendance, sec. 24, and registers of private schools, sec. 20.
6. To remit forfeitures, sec. 204.

² Sec. 78.

³ Registers of two sizes are supplied to public and private schools, and a special form for evening schools.

For registers of private schools, see sec. 20.

For duties of teachers in connection with registers, see sec. 176.

returns' to be made by the various school boards and committees;

Shall ascertain and keep informed as to the condition and progress of the public schools in the State ;

Teachers'
meetings.

And shall seek to improve the methods and promote the efficiency of teaching therein, by holding, at various convenient places in the State, meetings of teachers and school officers, for the purpose of instructing in the best modes of administering, governing, and teaching public schools, and by such other means as they shall deem appropriate ; but the expenses incurred in such meetings shall not exceed the sum of three thousand dollars in any year.*

Expenses.

Annual Report.
1897, ch. v. § 28.

Said board shall, on or before the Monday after the first Wednesday in January in each year,* submit to the Governor a report containing a printed abstract of said returns, a detailed statement of the doings of the board, and an account of the condition of the public schools, of the amount and quality of instruction therein, and such

* Returns to be made to State Board of Education are :

1. Town reports of school visitors, sec. 91.
- (a) including names of teachers and committees, sec. 94.
2. District reports by Board of Education, sec. 57.
3. Reports of evening schools, secs. 68, 72.
4. Reports of private schools, sec. 20.
5. Reports of eyesight tests, sec. 17.

Blanks are supplied for all above returns and for reports of district committees to school visitors, sec. 171.

* Other duties and powers of the board are :

1. To superintend Normal Schools, secs. 8-12.
2. To enforce law relating to employment of children, secs. 4, 22, 23.
- (a) Shall appoint agents, Sec. 4.
3. To enforce laws relating to attendance, Secs. 3, 4 ; at evening schools, sec. 71.
- (a) May appoint agents, sec. 4.
4. To keep account of library money, sec. 6.
5. To annually appoint a Public Library Committee, sec. 218.
6. To order sanitary changes in the schoolhouses, sec. 210.
7. To examine teachers for schools in county homes, and to visit said schools, sec. 15.
8. To relieve towns from maintaining evening schools, sec. 78.
9. To furnish blanks for eyesight tests, sec. 16.

* "All other reports now required to be made annually to the General Assembly shall hereafter be made to the Governor at the same period of the year as now required to be made to the General Assembly," G. S., sec. 376.

other information as will apprise the General Assembly of the true condition, progress, and needs of public education ; and such annual reports shall be submitted to said Assembly at its regular sessions.

The comptroller shall cause to be printed at the expense of the State annually, such number of copies of the report of the State Board of Education as said board may by vote determine to be necessary ; *provided*, that the number printed annually shall not exceed six thousand.

Sec. 3. The board shall have power to appoint an agent¹ to secure the due observance of the laws relating to the instruction of children,² and such agent shall make written report of his work to the secretary semi-annually. G. S. sec. 9098. Agent. Report.

Sec. 4. It shall be the duty of the State Board of Education and the school visitors, boards of education, and town committees of towns, to enforce sections 22 and 23 of chapter ii ; and for that purpose the State board of Education may appoint agents, under its supervision and control, for terms of not more than one year, who shall be paid not to exceed five dollars per day for time actually employed, and necessary expenses, and whose accounts shall be approved by said board and audited by the Comptroller. G. S. sec. 1755. Enforcement of law relating to employment of children. Pay of agents.

The agents so appointed may be directed by said board to enforce the provisions of the law requiring the attendance³ of children in school, and to perform any duties necessary or proper for the due execution of the duties and powers of the board. Duties.

Sec. 5. The State Board of Education may, upon public examination in such branches, and upon such terms as it may prescribe, grant a certificate of qualifications to teach in any public school in the State, and may revoke the same. The certificate of qualification issued under this section shall be accepted by boards of school visitors, boards of education, and town school committees in lieu of the examination required by section 78.⁴ G. S. sec. 2222. Teachers' certificates may be granted upon examination. 1895, ch. cxxxv.

¹ May inspect certificates of attendance, sec. 24, and registers of private, schools, sec. 20.

² Chapter ii, page 9.

³ Secs. 54, 61, 152.

G. S. sec. 2220.
Account of ap-
propriation for
school libraries
and apparatus.

Sec. 6. The State Board of Education shall keep an account of the money drawn and paid out for school libraries and philosophical apparatus pursuant to chapter xi,¹ and the Comptroller shall annually audit such account.

G. S. sec. 2099.
Expenses and
account; orders
how signed.

Sec. 7. The board is authorized to expend such sum as may be necessary to perform the duties and execute the powers conferred upon it, and shall semi-annually file with the Comptroller a certified account of all State moneys received and expended during the preceding half year,² which account shall be audited by the Comptroller.

All orders for drawing any State money shall be signed by the secretary and countersigned by a committee of the board duly authorized thereto.

NORMAL SCHOOLS

1893, ch. ccxv.
Object.

Annual appro-
priation.

Training
Department.

Sec. 8. The State Board of Education shall maintain normal schools as seminaries for training teachers in the art of instructing and governing in the public schools of this State, at the places where such schools are legally established, and such sum as the State Board of Education may in each year deem necessary for their support, not exceeding eighty thousand dollars for the four normal schools now established, shall be annually paid therefor from the treasury of the State, on the order of said board. But the board shall not expend any money for any normal school hereafter established, until the town, city, or city school district in which said school is situated shall have agreed in writing with said board to furnish, and shall have furnished schools in suitable and sufficient school buildings in connection with the training department in said school, the terms of said agreement to be satisfactory to said board; and every such town, city, or city school district is hereby empowered to make and execute such agreements.

¹ Page 68.

² For fiscal year see Public Acts of 1889, ch. ccxxxi. The fiscal year for all departments of the State government ends on the thirtieth day of September.

Sec. 9. The number of pupils in each school shall be determined by the State Board of Education. Said board may make regulations governing the admission of candidates. To all pupils admitted to either normal school, all its privileges, including tuition, shall be gratuitous; no persons, however, shall be entitled to these privileges until they have filed with said board a written declaration that their object in securing admission to such school is to become qualified to teach in public schools, and that they intend to teach in the public schools of this State.

1889, ch. clxxxvi,
sec. 2.

Number and
recommendation
of students.

Sec. 10. The school visitors in each town shall annually, upon request, forward to said board the names of such persons as they can recommend as suitable persons in age, character, talents, and attainments, to be received as pupils in said school.

1889, ch. clxxxvi,
sec. 3.

Selection of
students.

Sec. 11. The State Board of Education shall expend the funds¹ provided for the support of normal schools, appoint and remove their teachers, and make rules for their management; shall file semi-annually with the Comptroller, to be audited by him, a statement of the receipts and expenses² on account of the normal schools, and shall annually make to the Governor a report, for transmission to the General Assembly, of the condition of these schools, and the doings of said board in connection therewith.

1889, ch. clxxxvi,
sec. 4.

Expenditure of
funds.

Account.

Report.

Sec. 12. Said board may establish and maintain model schools under permanent teachers approved by it, in which the pupils of the normal schools shall have an opportunity to practice modes of instruction and discipline.

1889, ch. clxxxvi,
sec. 5.

Model primary
school.

SCHOOLS IN COUNTY HOMES

Sec. 13. The children legally committed to county homes shall be enumerated in the districts in which said county homes are located, as provided in section 177, but the enumerator shall make a separate list of the children in the county home, and certify said list to the school visitors of the town as provided in section 179.

1885, ch. ccxxii,
sec. 1.

Enumeration of
children in
County Homes.

¹ Sec. 8.

² Sec. 7.

1895, ch. ccxxii,
sec. 2.

County com-
missioners may
establish
schools at
County Homes.

Sec. 14. The county commissioners may establish schools at the county homes if in their opinion it is for the interest of the children. In case the county commissioners establish and maintain such a school in any county, the treasurer of the town in which the school is located shall pay to the county commissioners from the amount paid to the town by the Comptroller that proportionate part which was derived from the enumeration of the children in the county home. Said commissioners shall apply the sum so named to the payment of the teacher, and to no other purpose. Said schools shall be open during the same days and hours and terms as the schools in the district in which the school is located, and the branches taught shall be those prescribed by the proper school officers for the schools of the town.

1895, ch. ccxxii,
sec. 3.

County commis-
sioners may
employ and pay
teachers.

Sec. 15. The county commissioners may employ and pay as teachers of the schools at the county homes, persons found qualified as provided in this section, and shall provide books for the children and apparatus for teaching. It shall be the duty of the State Board of Education to examine the persons employed by the county commissioners, and if the candidates are found qualified in respect of character, education, and teaching ability, to give them certificates authorizing them to teach in said schools, and said board may revoke such certificate, and the county commissioners shall not employ any person who does not hold such certificate. The said board shall appoint an acting visitor or acting visitors, who shall inspect and examine said schools at least twice in each term, and the county commissioners shall not pay any teacher nor maintain said school unless said acting visitor shall certify in writing that said school has been for each month kept in conformity to the laws relating to public schools.

State Board of
Education to
examine teach-
ers, may appoint
acting visitor
or visitors.

EYESIGHT TEST

1895, ch. 104,
sec. 1.

Preparation of
cards and
blanks.

Sec. 16. The state board of education shall prepare or cause to be prepared suitable test cards and blanks to be used in testing the eyesight of the pupils in public schools, and shall furnish the same, together with all

necessary instructions for their use, free of expense, to every school in the state.

Sec. 17. The superintendent, principal, or teacher, ^{1899, ch. civ. sec. 2.} in every school, sometime during the fall term in each ^{Tests and reports in fall term.} year, shall test the eyesight of all pupils under his charge according to the instructions furnished as above provided, and shall notify in writing the parent or guardian of every pupil who shall be found to have any defect of vision or disease of the eyes, with a brief statement of such defect or disease, and shall make written report of all such cases to the state board of education.

CHAPTER II

Instruction, Employment, and Attendance of Children

[GEN. STAT., TITLE XXXV, CHAPTER CXXXI, PAGE 458]

SECTION

18. Duties of parents and guardians.
19. Penalty ; excuses for failure ; procedure.
20. Attendance at private schools when sufficient ; registers ; inspection of certificates.
21. Employment of children under fourteen during school hours ; penalty.
22. Employment of children under fourteen.
23. Penalty ; certificates.
24. Certificates of attendance, when required, by whom given ; are evidence.
25. Penalty for evasion of provisions of this chapter.
26. Inspection of factories by school visitors.
27. Selectmen may bind out neglected children.

SECTION

28. Town regulations respecting truant and vagrant children.
29. Truant officers ; procedure.
30. Truants, arrest of.
31. Truants may be committed to Connecticut school for boys, when.
32. Fees of truant officers.
33. Warrant and hearing.
34. Suspending judgment.
35. Appointment of district committees or janitors as special constables.
36. Vagrant girls may be committed to Industrial School.
37. Loitering of children in the night time prohibited.

Section 18. All parents and those who have the care ^{G. S. sec. 210B.} of children¹ shall bring them up in some honest and law- ^{Children to be educated.} ful employment, and instruct them or cause them to be instructed in reading, writing, spelling, English grammar, geography, and arithmetic.²

And every parent or other person having control of ^{Parents and guardians must send children over seven and under fourteen to school.} any child over seven and under sixteen years of age, shall cause such child to attend a public day school regularly during the hours and terms while the public school in the district wherein such child resides is in session, or while the school is in session where provision for the instruction of such child is made according to

¹ This expression is used as exactly equivalent to parents or guardians.
59 Conn., 493.

² Compare secs. 38, 41.

1889, ch. 19.

law by the board of school visitors, town school committee, or board of education of the town in which the child resides; unless the parent or person having control of such child can show that the child is elsewhere receiving regularly thorough instruction during said hours and terms in the studies taught in the public schools.

1887, ch. cxlv.
1896, ch. cxxxiv.

Children over fourteen years of age shall not be subject to the requirements of this section while lawfully employed to labor at home or elsewhere.

1899, ch. 19.

But this provision shall not be construed as permitting such children to be irregular in attendance at school while they are enrolled as scholars, or to exempt any child who is enrolled as a member of a school from any rule concerning irregularity of attendance which has been enacted or may be enacted by the town school committee, board of visitors,¹ or board of education having control of the school.

G. S. sec. §103.

Penalty.

1887, ch. cxlv.

Sec. 19. Each week's failure on the part of any person to comply with the provisions of the preceding section shall be a distinct offense, punishable with a fine not exceeding five dollars.

Said penalty shall not be incurred when it appears that the child is destitute of clothing suitable for attending school, and the parent or person having control of such child is unable to provide such clothing, or its mental or physical condition is such as to render its instruction inexpedient or impracticable.

Excuses.

Complaint.

All offenses concerning the same child shall be charged in separate counts, joined in one complaint. When a complaint contains more than one count the court may give sentence on one or more counts and suspend sentence on the remaining counts.

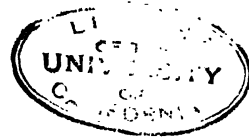
Procedure.

If at the end of twelve weeks from the date of the sentence it shall appear that the child concerned has attended school regularly during that time, then judgment on such remaining counts shall not be executed.

*G. S. sec. §104.*1887, ch. cxlvi.
Attendance at
private schools
when sufficient.

Sec. 20. Attendance of children at a school other than a public school shall not be regarded as compliance with the provisions of the laws of the State requiring

¹ Sec. 78, note 1.



parents and other persons having control of children to cause them to attend school, unless the teachers or persons having control of such school shall keep a register of attendance in form and manner prescribed by the State Board of Education for the public schools,¹ which register shall at all times during school hours be open to the inspection of the secretary and agents of the State Board of Education,² and shall make such reports and returns concerning the school under their charge to the secretary of the State Board of Education as are required from the school visitors concerning the public schools,³ except that no report concerning expenses shall be required; and it shall be the duty of the secretary of the State Board of Education to furnish to the teachers or persons having charge of any school, on their request, such registers and blanks for returns as may be necessary for compliance with the provisions of this section.

Sec. 21. Any person who shall employ any child under fourteen years of age during the hours while the school which such child should attend is in session, and any person who shall authorize or permit on premises under his control any such child to be so employed, shall be fined not more than twenty dollars for every week in which such child is so employed.

1899, ch. 41.
Employment of
children under
fourteen years
of age.

Sec. 22. No child under fourteen years of age shall be employed in any mechanical, mercantile, or manufacturing establishment.

G. S. sec. 1753.
Employment of
children under
14.
1895, ch. cxviii,
sec. 1.

Sec. 23. Any person acting for himself, or as agent in any way whatever of any mechanical, mercantile, or manufacturing establishment who shall employ or authorize or permit to be employed in such establishment any child, in violation of the preceding section, shall be fined not more than sixty dollars, and every week of such illegal employment shall be a distinct offense, provided that no person shall be punished under this section for the employment of any child when at the time of such employment the employer shall demand and thereafter during such employment keep on file the certificate⁴ of any town clerk, or of the teacher of the school where

G. S. sec. 1764.

Penalty.

¹ Sec. 2.

² Secs. 3, 4.

³ Sec. 2.

⁴ See sec. 24.

Certificates.
1886, ch. cxviii,
sec. 2.

such child last attended, stating that such child is more than fourteen years of age, or a like certificate of the parent or guardian of such child in such cases only where there is no record of the child's age in the office of the town clerk, and such child has not attended school in this State. Any parent or guardian who shall sign any certificate that his child or ward is more than fourteen years of age when in fact such child or ward is under fourteen years of age shall be fined not more than sixty dollars.¹

G. S. sec. §106.
Certificate of
school attend-
ance.

Sec. 24. It shall be the duty of every parent, or other person having control of a child under fourteen years of age, to furnish the employer of such child a certificate signed by the teacher, school visitor, or committee of the school which the child attended, showing that the child has attended school.² The employer of any such child shall require such certificate, shall keep it at his place of business during the time the child is in his employment, and shall show the same when demanded, during the usual business hours, to any school visitor of the town where the child is employed, or to the secretary or agent of the State Board of Education. Said certificate shall be evidence that the child has attended school as the law requires.

Evidence.

G. S. sec. §107.
Penalty for
false statement.

Sec. 25. Any parent or any person having control of a child, who, with intent to evade the provisions of this chapter, shall make any false statement³ concerning the age of such child, or the time such child has resided in the United States, or shall instruct such child to make any such false statement, shall be fined not more than seven dollars, or be imprisoned not more than thirty days.

G. S. sec. §108.
Inspection of
factories by
school visitors.

Sec. 26. The school visitors in every town shall, once or more in every year, examine into the situation of the children employed in all its manufacturing establishments, and ascertain whether all the provisions of this chapter are duly observed, and report all violations thereof to one of the grand jurors of the town.

¹ For appointment of agents to enforce secs. 22 and 23, see sec. 4.

² The section 2105 to which this refers was repealed by Ch. 41, Acts of 1899.

³ For enforcement of this section see sec. 23.

Sec. 27. The selectmen, in every town, shall inspect the conduct of the heads of families, and if they find any who neglect the education of the children under their care, may admonish them to attend to their duty; and if they continue negligent, whereby the children grow rude, stubborn, and unruly, they shall, with the advice of a justice of the peace, take such children from those who have the charge of them, and bind them out to some proper master, or to some charitable institution or society incorporated in this State for the care and instruction of such children,¹ males till twenty-one, and females till eighteen years of age, that they may be properly educated, and brought up in some lawful calling.

G. S. sec. 2109.
Selectmen may
bind out neg-
lected children.

Sec. 28. Each city and town may make regulations concerning habitual truants from school, and children between the ages of seven and sixteen years' wandering about its streets or public places, having no lawful occupation, nor attending school, and growing up in ignorance; and such by-laws, also, respecting such children, as shall conduce to their welfare and to public order, imposing suitable penalties, not exceeding twenty dollars for any one breach thereof; but no such town by-laws shall be valid, until approved by the superior court in any county.

G. S. sec. 2110.
Town regula-
tions respecting
truants and
vagrant chil-
dren.

Sec. 29. Every town, and the mayor and aldermen of every city, having such by-laws, shall annually appoint three or more persons, who alone shall be authorized to prosecute for violations thereof. All warrants issued upon such prosecutions shall be returnable before any justice of the peace, or judge of the city or police court of the town or city.

G. S. sec. 2111.
Truant officers.

Sec. 30. The police in any city, and bailiffs, constables, sheriffs, and deputy sheriffs in their respective precincts, shall arrest all boys between eight and sixteen years of age, who habitually wander or loiter about the streets or public places, or anywhere beyond the proper control of their parents or guardians, during the usual school hours of the school term; and may stop any boy under sixteen years of age during such hours, and ascer-

Procedure.

G. S. sec. 2112.
Truants, arrest
of.

¹ See secs. 213, 214.

tain whether he is a truant from school ; and if he be, shall send him to such school.

G. S. sec. 2113.

Truants may be committed to Connecticut school for boys, when.

Sec. 31. Any boy arrested a third time under the provisions of the preceding section, if not immediately returned to school, shall be taken before the judge of the criminal or police court, or any justice of the peace in the city, borough, or town where such arrest is made ; and if it shall appear that such boy has no lawful occupation, or is not attending school, or is growing up in habits of idleness or immorality, or is an habitual truant, he may be committed to any institution of instruction or correction, or house of reformation in said city, borough, or town, for not more than three years, or, with the approval of the selectmen, to the Connecticut School for Boys.¹

G. S. sec. 2114.

Fees of truant officers.

Sec. 32. Officers other than policemen of cities shall receive for making the arrests required by the two preceding sections such fees, not exceeding the fees allowed by law for making other arrests, as may be allowed by the selectmen of the town in which such arrests are made ; but unless a warrant was issued by a judge of the criminal or police court, or by a justice of the peace, the officer shall, before receiving his fees, present to the selectmen of the town a written statement showing the name of each boy arrested, the day on which the arrest was made, and, if the boy was returned to school, the name or number of the school to which he was so returned.

G. S. sec. 2115.

Warrant and hearing.

Fees.

Sec. 33. In all cases arising under the provisions of the three preceding sections, a proper warrant shall be issued by the judge of the criminal court of the city, or by a justice of the peace in the borough or town, where such arrest is made ; and the father, if living, or if not, the mother or guardian of such boy, shall be notified, if such parent or guardian can be found, of the day and time of hearing. The fees of the judge or justice shall be two dollars for such hearing ; and all expenses shall be paid by the city, borough, or town in and for which he exercises such jurisdiction.

¹ Sec. 213

Sec. 34. After the hearing in any such case, such judge or justice of the peace may, at his discretion, in-
definitely suspend the rendition of judgment.

G. S. sec. 2116.
Suspending
judgment.

Sec. 35. The selectmen of any town may appoint committees of school districts and janitors of school buildings, and other persons on nomination by the school visitors of the town or board of education of an incorporated school district, special constables. Said constables shall have power in the town in which they reside, and in adjoining towns when offenders have escaped thither, to arrest for truancy and other causes named in section 30, and for disturbance of schools and school meetings and damage to school property,¹ and to serve criminal process in all such cases.

G. S. sec. 70.
Appointment of
district commit-
tees or janitors
as special con-
stables.

Sec. 36. Upon the request of the parent or guardian of any girl between eight and sixteen years of age, a warrant may be issued for her arrest in the same manner and on the same conditions as is provided in sections 31-34 with respect to boys ; and thereupon the same proceedings may be had as are above provided, except that said girls may be committed to the Connecticut Industrial School for Girls.²

G. S. sec. 2117.
Vagrant girls,
may be commit-
ted to Industrial
School.

Sec. 37. The common council of any city may by ordinance prohibit the loitering, in the night time, of children under the age of fifteen years on the streets, alleys, or public places within its corporate limits, and may provide suitable penalty or fine for the violation of such ordinances.

1899, ch. 217.
Loitering of
children in the
night time
prohibited.

¹ Secs. 275, 279.

² Sec. 214.

CHAPTER III

Duties of Towns¹

[GEN. STAT., TITLE XXXIV, CHAPTER CXXXII, PAGE 463]

SECTION.

- 38. Number of weeks of school each year, branches to be taught, etc.
- 39. Age of admission to public schools.
- 40. Kindergartens.
- 41. Nature and effects of alcoholic drinks and narcotics to be taught in public schools.
- 42. Contents of text-books.
- 43. May direct school visitors to employ teachers.
- 44. Instruction in music.
- 45. Text-books and supplies.

SECTION.

- 46. School visitors.
- 47. Mode of voting for school officers.
- 48. Names of persons elected to be returned to Secretary of State.
- 49. Treasurer of permanent funds.
- 50. Duties of selectmen.
- 51. Selectmen to provide schoolhouses with flags.
- 52. Flag-day exercises.
- 53. Forfeiture by selectmen for failure to provide flag.

G. S. sec. 3118.

Number of
weeks of school
each year.
1895, ch. cxix.

Sec. 38. Public schools shall be maintained² for at least thirty-six weeks in each year in every school district.

And no town shall receive any money from the State treasury for any district unless the school therein has been kept during the time herein required.

¹ For powers as to schoolhouses, see sec. 141.

² Every town or school district, by legal meeting of its qualified voters, may make appropriations of specific sums of money for any purpose authorized by law, and by the warnings of the meetings at which the appropriations are made. G. S., sec. 377.

Whenever any specific appropriations of money have been made by any community or corporation named in the preceding section, every agent, commissioner, or executive officer of any town or school district, who shall willfully authorize or contract for the expenditure of any money, or the creation of any debt for any purpose in excess of the amount specifically appropriated for such purpose by the community or corporation of which he is the agent, commissioner, or executive officer, unless such expenditure shall be made or debt contracted for the necessary repair of roads or bridges, or the necessary support of schools or paupers, in cases arising after the proper appropriation has been exhausted, shall be fined not exceeding one thousand dollars, or imprisoned in the county jail not exceeding one year, or both. G. S., sec. 378.

Any public official of the state, or of any county, municipality, or school district is hereby authorized to deposit any funds or moneys in his hands belonging to the state, or to such county, municipality, or district, or held by him as such official or as trustee, in and with any of the national and state banks and trust companies in this state; *provided, however*, that such deposits shall only be made in his name as such official or trustee, or in the name of the state, county, municipality, or school district to which the money belongs, and that in no case shall the deposit by such official

But no school need be maintained in any district in which the average attendance¹ of persons at the school in said district during the preceding year, ending the thirty-first day of August,² was less than eight.³

In said schools, shall be taught by teachers found duly qualified by the school visitors,⁴ reading, spelling, writing, English grammar, geography, and arithmetic, and such other studies, including elementary science and training in manual arts, as may be prescribed by the board of school visitors.⁵

Sec. 39. The public schools of every town and district shall be open to children over five years of age⁶ without discrimination on account of race or color, but school visitors, town school committees, and boards of education, may, by vote at a meeting duly called, admit to any school, children over four years of age.

Sec. 40. Any town or school district may establish and maintain kindergartens which shall be open to children over three years of age.

Sec. 41. The nature of alcoholic drinks and narcotics, and special instruction as to their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, shall be included in the branches of study taught in the common or public schools, and shall be studied and taught as other like required branches, by the use of graded text-books in the hands of pupils where other branches are thus studied, and orally in the case of pupils unable to read, and by all pupils in all schools supported wholly or in part by public money.

in any one bank or trust company exceed in the aggregate at any one time twenty-five percentum of the capital and surplus of such bank or trust company; *and provided further*, that whatever interest or other pecuniary consideration such bank or trust company shall allow for or upon such deposit shall belong to and accrue to the benefit of the state, or such county, municipality, or district. Acts of 1899, Chapter 218.

¹ Method of obtaining average attendance is given in registers furnished by the State.

² Sec. 190.

³ For voluntary union of small districts, see sec. 196; also sec. 197.

⁴ Sec. 175.

⁵ A child need not be domiciled in a district to be entitled to school privileges there; it is enough if the child is residing in the district in the ordinary sense. 59 Conn. 491. See sections 18, 19, 177, 181.

When they need not be maintained.

Branches.

1897, ch. cl.

1899, ch. 54,

sec. 1.

Age of admission.

1899, ch. 54,

sec. 2.

Kindergartens.

1893, ch. civil,

sec. 1.

Nature and effects of alcoholic drinks and narcotics to be taught in public schools.

1898, ch. clvii,
sec. 2.
Contents of
text-books.

Sec. 42. The text-books used for the instruction required by the preceding section for intermediate and primary pupils shall give at least one-fifth of their space to the consideration of the nature and effects of alcoholic drinks and narcotics, and the books used in the highest grade of graded schools shall contain at least twenty pages of matter relating to this subject; but when this subject is massed wholly or in part in a chapter or chapters at the end of a book, such book shall not be considered as meeting the requirements of this law.

G. S. sec. 3122.
May direct
school visitors
to employ
teachers.

Sec. 43. Any town may direct the school visitors to employ the teachers for all public schools of the town for such terms of the schools as it may specify.¹

G. S. sec. 3123.
Instruction in
music.

Sec. 44. Any town, at its annual school meeting, may direct its school visitors to employ one or more teachers to give instruction in the rudiments and principles of vocal and instrumental music in its several schools, and the salary of such teachers shall be paid by such town.

G. S. sec. 3124.
Text-books and
supplies.

Sec. 45. Any town, at its annual meeting, may direct its school visitors, or board of education, or town committee, to purchase, at the expense of said town, the text-books and other school supplies used in the public schools of said town, and said text-books and supplies shall be loaned to the pupils of said public schools free of charge, subject to such rules and regulations as the school visitors or the board of education or town committee may prescribe.²

G. S. sec. 41.
School visitors.

Sec. 46. There shall be elected by every town, at its annual town meeting, such number of school visitors as such town is entitled to and required by law to elect,³ and they shall be elected in the manner and for the term or terms by law prescribed.

G. S. sec. 14.
Mode of voting
for school
officers.
1889, ch. clxxx.

Sec. 47. Treasurers of town deposit funds, agents of town deposit funds, . . . and school visitors shall be voted for by ballot; but all other town officers provided for by law shall be appointed by the board of selectmen of the several towns respectively.⁴

¹ Secs. 78, 102, 170.

² For other provisions as to text-books, see secs. 2, 80, 81.

³ Sec. 75

⁴ The provisions of this section do not apply to town high school committees, ch. clii, Acts of 1893.



Sec. 48. The town clerks of the several towns shall, within ten days after the election of such officers, return to the Secretary of the State the names of the persons elected to the offices . . . of school visitors or school committee, with date of expiration of term.

1889, ch. cxv.
Names of persons elected to be returned to Secretary of State.

Sec. 49. Every town holding any permanent funds received from any school society or district shall annually elect, by ballot, a school fund treasurer, who shall have charge of such funds, keep a separate account of the same, and give bonds with surety, to the satisfaction of the selectmen, for the faithful discharge of the duties of his office.

G. S. sec. 2185.
Treasurer of permanent funds.

Sec. 50. The selectmen shall have the management of any property appertaining to schools and belonging to the town, and shall lodge with the treasurer all bonds, leases, notes, and other securities, which have not been, or shall not be, intrusted to others by the grantor, the General Assembly, or the town; shall pay to the treasurer all money which they may collect and receive for the use of schools; cause the boundary lines of school districts to be entered on the records of the town;¹ designate the time, place, and object of holding the first meeting in any new district;² and perform all other lawful acts required of them by the town, or necessary to carry into full effect the powers of towns with regard to schools.³

G. S. sec. 2186.
Duties of selectmen.

Sec. 51. It shall be the duty of the selectmen to provide on or before the first day of October, 1893, each schoolhouse, in which schools are maintained within their respective towns, not already supplied, with a United States flag of silk or bunting, not less than four feet in length, and a suitable flag-staff, or other arrangement whereby such flag may be displayed on the school-

1893, ch. cciii, sec. 1.
Selectmen provide flags.

¹ Secs. 103, 104.

² Sec. 124.

³ Powers and duties of selectmen in connection with :

1. Enforcement of laws relating to attendance :

1. Shall inspect families and bind out neglected children. Sec. 27.

2. Approve commitment of truants to Connecticut School for Boys. Sec. 31.

3. Allow fees of truant officers. Sec. 32.

house grounds every school day when the weather will permit, and on the inside of the schoolhouses on other school days ; and to renew such flag and apparatus from time to time when necessary.

1898, ch. cclii,
sec. 2.
Flag-day
exercises.

Sec. 52. Suitable exercises, having reference to the adoption of the national flag, shall be had on the fourteenth day of June in each year, or in case that day shall not be a school day, then on the school day preceding or on such other days as the school visitors or board of education may prescribe.

1897, ch. xcix.
Forfeiture
by selectmen
for failure to
provide flag.

Sec. 53. If any board of selectmen shall willfully refuse or neglect to provide the flag or apparatus required by section 51, or to renew such flag or apparatus, when necessary, for a period of thirty days after the reception by them of written notice signed by the school visitor, or a resident of the school district in which the said school is located, that said schoolhouse is not provided with such flag or apparatus, or that such flag or apparatus should be renewed, each of such board of selectmen responsible for such refusal or neglect shall forfeit ten dollars, one-half to the party who shall sue therefor and one-half to the town.

4. Appoint special constables on nomination of school visitors.
Sec. 85.

2. Boundary lines of districts :

1. May settle boundary lines. Sec. 104.

2. Notice of appeal how served. Sec. 106.

3. Division of districts :

1. Shall distribute property. Sec. 108.

2. Set off schoolhouse and award money in case of joint districts.
Sec. 109.

4. District meetings :

1. Determine in certain cases place of meeting when there is no schoolhouse. Sec. 115.

2. Give notice of meeting if no district officers. Secs. 116, 124.

5. Consolidated districts :

1. Shall appraise property in case of joint districts. Sec. 156.

2. Shall give notice of consolidation to adjoining towns. Sec. 159.

3. May call special meetings to close up affairs of abolished districts. Sec. 160.

4. Shall lay tax and pay debts after consolidation. Sec. 161.

5. Shall collect all dues and demands in favor of abolished districts. Sec. 162.

CHAPTER IV

Transfer of the Obligations and Property of School Societies to Towns

[GEN. STAT., TITLE XXXV, CHAPTER CXXXIII, PAGE 464]

SECTION

54. Districts not co-extensive with towns organized under act of 1855; may choose board of education; powers and duties.
55. Ballot-boxes to be open how long.
56. Property of such societies not affected.

SECTION

57. Powers and duties of boards of education; acting visitor; authority of school visitors in remaining portion of towns.
58. Apportionment of public money.

Sec. 54. School societies heretofore organized under the act of 1855, entitled "An Act in addition to and in alteration of an Act concerning Education," which are not co-extensive with the towns in which they are situated, shall be and remain school districts of said towns, with all the powers and duties of school districts,¹ as specified in this title.

G. S. sec. 2130.
Districts not co-extensive with the town, organized under Act of 1855.

Except that each shall annually choose, on the third Monday of September, instead of a district committee, a board of education consisting of six or nine persons, who shall be chosen by ballot, one-third to be chosen each year, to serve for three years and until others are elected in their places.

To choose board of education.

6. Determine amounts to be paid by districts to town on abandonment of union system and lay tax if necessary. Sec. 164.
7. Shall provide ballot-boxes for election in certain cases. Sec. 143.
6. Estimates: Shall in joint board meeting make preliminary estimates. Sec. 189.
7. Appropriations: Shall in joint board meeting fix amounts for respective districts. Sec. 191.
8.
 1. May as joint board appropriate money for libraries. Sec. 174.
 2. Shall as joint board report cost for preceding year to town meeting. Sec. 191.
 3. Shall in joint board meeting pass upon cost of school in excess of amount of appropriation. Sec. 192.
 4. Shall cause sums due joint districts to be paid. Secs. 202, 203.
 5. Shall give order for money in case of district neglecting to open school. Sec. 203.
9. Taxation. Act with assessors as board of relief. Secs. 245, 246.

¹ Chapter viii, page 38.

That number of persons sufficient to fill the board who have the highest number of votes shall be elected.

Powers and duties of such board.

Said board shall have all the powers, and be subject to all the duties of district committees.¹

And shall also have the general superintendence of the public schools in the district, and the management of its property.

Shall lodge all bonds, leases, notes, and other securities with the treasurer of said district, unless the same have been intrusted to others by the grantors or the General Assembly ;

Pay into the treasury of the district all moneys which they may receive for the support of schools ;

Determine the number and qualifications of the scholars to be admitted into each school ;

Supply the requisite number of qualified teachers.

Ascertain annually, during the first two weeks of September, the expense of maintaining the schools under their superintendence during the year ending the thirty-first day of the previous August,² and report the same, with the amount of moneys received towards the payment thereof, to the district, at a meeting to be held on the third Monday of September in each year ;

Shall, at the same time, make a full report of their doings and the condition of such schools, and all important matters concerning the same ;

And shall perform all lawful acts required of them by the district, or necessary to carry into effect the powers and duties herein defined.

Reorganization of other societies into districts.

All existing school societies, in which school districts have been or may be abolished, may avail themselves of the privileges specified in this section.³

G. S. sec. 2134. Ballot-boxes to be open how long.

Sec. 55. In all school districts in which boards of education are required by law to be elected by ballot, the ballot-boxes shall be open for the reception of votes : in districts having less than four hundred voters, three hours and not longer ; in districts having over four hun-

¹ Chapter x, page 61; see sec. 170.

² Sec. 190.

³ The districts which availed themselves of the provisions of this chapter are city district of New Haven, Westville of New Haven, Middletown City District, Norwich Central, Norwich West Chelsea, Norwich Town Street. See Union District of Orange, p. 110.

dred and less than one thousand voters, five hours and not longer ; and no box for the reception of ballots shall remain open later than half-past eight o'clock in the afternoon of the day of such election.

Sec. 56. The property of the school societies, specified in section 54, shall not be affected by the provisions of this title. G. S. sec. 2131. Property of such societies. not affected.

Sec. 57. The board of education appointed by any school district, organized under the provisions of section 54, shall possess all the powers and be subject to all the duties within said district which are possessed by the school visitors in the several towns.¹ G. S. sec. 2132. Powers and duties of boards of education.

Shall make their annual report to the secretary of the State Board of Education, and send their returns and certificates directly to the Comptroller ;

And may appoint an acting school visitor in said district, who shall possess, within said district, all the powers and be subject to all the duties of similar officers appointed by school visitors.² Board may appoint acting school visitor.

The authority of the board of school visitors of the town in which said district is situated shall extend only to the remaining portion of said town ; and their returns and certificates shall include only the children of such remaining portion.³ Authority of board of school visitors in remainder of town.

Sec. 58. The Comptroller, on application of the board of education of such district, shall draw an order on the Treasurer in favor of such district for the proportionate amount, to which such district may be entitled, of all moneys appropriated by law for the benefit, support, and encouragement of public schools, as is provided in respect to towns ;⁴ and the town in which said district is situated shall be entitled to receive only its proportionate amount of such public money for the children in the remaining portion of said town. G. S. sec. 2133. Apportionment of public money.

¹ Sec. 78.

² Sec. 88.

³ Special mention of duties is made as to

1. Evening schools, secs. 72, 67. 2. Employment of children, sec. 4.
8. Supplementary reading books, sec. 81. 4. Free text-books, sec. 45.

⁴ Chapter xiii, page 67.

CHAPTER V

High Schools

[GEN. STAT., TITLE XXXV, CHAPTER CXXXVIII, PAGE 482]

SECTION

59. Powers of towns.
 60. High school committees.
 61. Powers of school visitors.
 62. Towns to pay tuition of children in high school.

SECTION

63. State to reimburse in part.
 64. Number and names of children to be reported.

G. S. sec. 2215.
 Powers of
 towns in rela-
 tion to high
 schools.

Sec. 59. In addition to the schools required by law in every town, any town may establish and maintain schools of a higher grade within its limits, and for such purpose purchase, receive, hold, and convey any property; build and repair schoolhouses; lay taxes, and make contracts and adopt regulations for the management of such schools.

G. S. sec. 2216.

1893, ch. cxxviii.
 High school
 committees.

Sec. 60. Any town may choose by ballot at its annual town meeting, a committee of three, four, or five residents of the town, who shall have all such powers and duties in relation to such schools as are by law imposed upon district committees in relation to district schools.¹ If the number to be chosen is three or four, no person shall vote for more than two; if five, for not more than three. That number of persons sufficient to fill the committee who have the highest number of votes shall be elected. In case of a tie, that person whose name stands first or highest on the greatest number of ballots shall be elected.²

G. S. sec. 2217.
 Powers in rela-
 tion to high
 schools.

Sec. 61. When any town shall maintain any school of a high grade, the board of school visitors shall prescribe rules for the admission of scholars into it,

And for their studies, books, and classification;

Examine all candidates for teachers in such school, and give to those with whose moral character, literary attainments, and ability to teach they are satisfied a certificate, stating what branches they are found capable of teaching;

¹ Chapter x, page 61.

² Sec. 47.



Visit such schools at least twice during each term ;

May revoke the certificate of any teacher at any time, for the causes provided in section 78 ;

And, if the town fail to elect a committee, as provided in section 60, shall appoint such committee, whose powers and duties shall be the same as if appointed by the town.¹

Sec. 62. Any town in which a high school is not maintained shall pay the whole or any part of the tuition fee of any child who resides with his parents or guardian in said town, and who, with the written consent of the school visitors or town school committee, attends a high school in another town, provided that the high school shall be approved by the state board of education. Such tuition fees shall be paid annually by the town treasurer upon the order of the chairman of the board of school visitors or town school committee.

1897, ch. ccxlix, sec. 1.

Towns to pay tuition of children in high schools, when.

Sec. 63. Every town shall annually in July receive from the treasurer of the state an amount equal to two-thirds of the aggregate of the sums which have been actually paid by the town for tuition fees under the provisions of section 62 ; *provided*, that not more than thirty dollars shall be paid for each scholar attending from any town.

1897, ch. ccxlix, sec. 2.

State to reimburse in part. 1899, ch. 71.

Sec. 64. The number and names of the children so attending high schools in towns other than those in which they reside, and the high schools which they have attended, shall, on or before the first day of July in each year, be certified under oath by the acting school visitor of the town in which the pupils reside to the state board of education. The comptroller shall, on application of said board, draw an order on the treasurer in favor of the town for the amount provided in section 63.

1897, ch. ccxlix, sec. 3.

Number and names of children to be reported.

Duty of Comptroller.

¹ Chapter ciii, Acts of 1893.

CHAPTER VI

Evening Schools

SECTION

- 65. Evening schools for those over 14.
- 66. Supervision of evening schools.
- 67. Expenses paid in part by the state.
- 68. Evening schools must be maintained how ong.
- 69. Evening schools to be maintained in larger towns.
- 70. Supervision of evening schools.

SECTION

- 71. Children over 14 and under 16 who cannot read and write not to be employed in factory, etc., unless attending evening school.
- 72. Public money for evening schools.
- 73. State Board of Education may relieve towns from supporting evening schools.
- 74. Small towns may establish evening schools.

G. S. sec. 2119.
Evening schools
for those over
14.

Sec. 65. Every town may establish and maintain, in addition to the schools required by law, public evening schools for the instruction of persons over fourteen years of age in the branches taught in the public day schools,¹ and such other studies as may be prescribed by the board of school visitors of such town.

G. S. sec. 2138.
Supervision of
evening schools.

Sec. 66. The boards of school visitors shall have the same supervision over public evening schools,² established pursuant to this title, as is by law conferred upon the school committee of consolidated districts.³

G. S. sec. 2139.
Expenses paid
in part by the
State.

Sec. 67. The board of school visitors, board of education, or town committee, as the case may be, of any town wherein such public evening schools are established and maintained, shall, annually, upon the first Monday of June, certify to the Comptroller the average number of scholars attending such schools within the current school year,⁴ said year beginning on the first day of September; and the Comptroller shall thereupon draw his order on the Treasurer of the State in favor of such board of school visitors, board of education, or town committee, for the use of such schools, in the sum of one dollar and a half for each scholar included in the number so certified, and the treasurer shall pay the same upon presentation.

G. S. sec. 2140
Evening schools
must be main-
tained how long.

Sec. 68. It shall be the duty of boards of school visitors, boards of education,⁵ and town committees of towns claiming the benefits of sections 65, 69, 73, and 74

¹ Sec. 38.

⁴ Sec. 190.

² Sec. 65.

⁵ Secs. 54, 57.

³ Sec. 152.

to maintain such evening schools for a continuous term of not less than fifty sessions in each school year, as above defined, and to report annually during the month of September to the State Board of Education concerning the condition and progress of the same.

Sec. 69. Every town and school district having ten thousand or more inhabitants shall establish and maintain, in addition to the schools required by law, evening schools for the instruction of persons over fourteen years of age, in such branches as the proper school authorities of the town or district shall prescribe; *provided*, that this act shall not apply to any district located in a town which maintains such schools.

1895, ch. ccx,
sec. 1.
Evening schools
to be maintained
in larger towns.

Sec. 70. Boards of school visitors, town school committees, or boards of education, as the case may be, shall provide rooms, examine, employ, and pay the teachers, and shall have all the powers and duties in relation to the schools established under sections 69-74, as by law belong to town school committees in connection with day schools.

1895, ch. ccx,
sec. 2.
Supervision of
evening schools.

Sec. 71. No person over fourteen and under sixteen years of age, who cannot read and write, shall be employed in any town where evening schools are established under the provisions of this act unless he can produce every school month of twenty days a certificate from the teacher of an evening school established under this act showing that he has attended such school eighteen consecutive evenings in the current school month, and is a regular attendant. Any person who shall employ a child contrary to the provisions of this section shall be fined not more than fifty dollars, and it shall be the duty of the State Board of Education to enforce the provisions of this act as provided in section 4.

1895, ch. ccx,
sec. 3.
Children over 14
and under 16
who cannot read
and write not to
be employed in
factory, etc.,
unless attending
evening school.

Sec. 72. The board of school visitors, board of education, or town school committee, as the case may be, of any town wherein evening schools are established and maintained, under sections 65-74, shall annually, on the first Monday in July, certify to the Comptroller the average number of scholars attending such schools within the current school year, and the Comptroller shall thereupon draw his order on the Treasurer of the State in favor of such board of education, board of

1895, ch. ccx,
sec. 4.
Public money
for evening
schools.

school visitors, or town school committee, for the use of such schools, in the sum of two dollars and a quarter for each scholar included in the number so certified, and the Treasurer shall pay the same upon presentation.

No money shall be paid under the provisions of this section unless such evening schools have been maintained for at least seventy-five sessions in each school year, nor until the board of school visitors, board of education, or town school committee has reported to the State Board of Education concerning the condition and progress of said schools.

1895, ch. ccx,
sec. 5.

State Board of
Education may
relieve towns
from support-
ing evening
schools.

Sec. 73. If any board of school visitors, board of education, or town school committee shall deem it inexpedient or impracticable to establish a school under the provisions of sections 65 and 69, and shall, on or before the fifteenth day of October in any year, apply in writing to the State Board of Education to be relieved from the provisions of this act, and if said board shall, upon investigation, find the application to be reasonable, and shall so state in writing, the town or district so applying by its board of visitors, board of education, or town school committee, shall not be subject to the provisions of this act until the beginning of the school year following the date of the application.

1895, ch. ccx,
sec. 6.

Sec. 74. Any town of less than ten thousand inhabitants may, at its annual town meeting, vote to establish evening schools under the provisions of sections 65, 69, 84.

CHAPTER VII

School Visitors

[GEN. STAT., TITLE XXXV, CHAPTER CXXXIV, PAGE 466]

SECTION

- 75. Classification and filling of vacancies.
- 76. How chosen.
- 77. Teacher not to be school visitor nor town school committee.
- 78. Organization, duties, and powers.
- 79. Public school teachers to be examined in physiology, etc.
- 80. Change of text-books.
- 81. Supplementary reading.
- 82. Vaccination of school children.
- 83. Supervision of evening schools.
- 84. Expenses of evening schools paid in part by the State.
- 85. Evening schools must be maintained how long; report.
- 86. Meetings.
- 87. Visitation of schools; report to town.
- 88. Acting school visitor or superintendent, appointment of.

SECTION

- 89. Town to provide text-books when parents are unable.
- 90. Returns to Comptroller; certificate to selectmen.
- 91. Duties of secretary; forfeiture for failure to make returns.
- 92. Secretary of State board to report forfeitures.
- 93. Report as to compliance with law as to study of physiology and hygiene to be made.
- 94. Address of district committees and teachers to be sent to State board.
- 95. Preservation of books and records.
- 96. Compensation of secretary and acting visitors.
- 97. Compensation of acting school visitor.
- 98. Reports and returns, how sworn to.

Sec. 75. There shall be in every town¹ a board of school visitors, composed of three, six, or nine members, as such town may determine,² divided into three equal classes; the first class shall hold office until the next annual town meeting, the second class until the second annual town meeting, and the third class until the third annual town meeting following, and until others are elected in their places; *provided*, that when said board is composed of only three members, they shall not be so divided into classes, and shall be elected for three years. Should any vacancy occur, the remaining members of the board may fill it till the next annual town meeting, when all vacancies shall be filled in the manner prescribed in the succeeding section, and the ballots shall distinctly specify the vacancy to be filled.

G. S. sec. 3121.
Classes.

Vacancies, how filled.

Sec. 76. School visitors shall be chosen by ballot.³ If the number to be chosen be two, four, six, or eight,

G. S. sec. 3122.
How chosen.

¹ Secs. 46, 47.

² When a school district is organized under the provisions of chapter iv, school visitors' authority extends to remaining portion of town only, Sec. 57.

³ Sec. 47.

no person shall vote for more than half of such number. If the number to be chosen be three, no person shall vote for more than two; if five, not more than three; if seven, not more than four; if nine, not more than five. That number of persons sufficient to fill the board who have the highest number of votes shall be elected. In case of a tie, that person whose name stands first or highest on the greatest number of ballots shall be elected.

1896, ch. lxvii,
sec. 1.
Teacher not to
be school visitor
or town commit-
tee.

1896, ch. lxvii,
sec. 2.
Effect of this
act.

Sec. 77. No person elected to the office of school visitor or town committee shall be employed as teacher in the town where he or she is school visitor or town committee. If any school visitor or town committee shall be employed contrary to the provisions of this section, the office of school visitor or town committee to which he was elected shall become vacant, and his successor shall be appointed under the provisions of section 75.

G. S. sec. 2135.
Organization.
Duties.

Sec. 78. Each board of school visitors shall annually choose from themselves a chairman and a secretary.

They shall prescribe rules¹ for the management, studies,² classification, and discipline of the public schools.

And subject to the control of the State Board of Education, the text-books to be used;³

Examination of
teachers.

Shall, as a board, or by a committee by them appointed, examine all persons desiring to teach in the public schools; and give to those with whose moral character and ability to teach they are satisfied, if found qualified to teach reading, writing, arithmetic, and grammar thoroughly, and the rudiments of geography and history, and of drawing, if required by the board, a certificate,⁴ either authorizing the holder to teach in any

Certificates.

¹ That rules as to attendance can be made is implied in sec. 18. Rules need not be recorded. 105 Mass., 475. In the absence of rules established by the school board or other proper authority, the teacher has a right to make all necessary and proper rules for the regulation of the school. 53 Conn., 481.

² Secs. 38, 44, 65. May prescribe studies, sec. 38.

³ Secs. 2, 80, 81.

⁴ Sec. 175 (a) May accept certificate of State, sec. 5. (b) Shall examine high school teachers, sec. 61. (c) Teachers must be qualified to teach physiology, sec. 79.

district in the town so long as desired, without further examination, unless specially ordered, or to teach in any such district during the ensuing term only, or to teach only in a district therein named during such term ; and if a person is examined in and found qualified to teach other branches besides those required in all cases, such branches shall be named in his certificate.¹

Higher branches to be named in the certificate.

They shall revoke the certificates of such teachers as shall at any time be found incompetent to teach or to manage a school, or fail to conform to the requirements of the board.

Shall revoke certificates of incompetent teachers.

Shall, if the town so direct, employ the teachers for all its public schools,² after consulting with the several district committees.

Town may direct them to employ teachers.

Shall make proper rules for the arrangement, use and safe-keeping of the district and high school libraries provided in part by the State, and approve the books selected therefor.³

To make rules for libraries.

And shall fill vacancies in district offices,⁴ fix sites, and approve plans for schoolhouses.⁵

To fix school-house sites.

And superintend any high or graded school, in the manner specified in this title.⁶

High schools.

Sec. 79. No certificate shall hereafter be granted to any person to teach in the public schools of Connecticut who has not passed a satisfactory examination in physiology and hygiene, with special reference to the effects and nature of alcoholic drinks and other narcotics upon the human system.

1893, ch. civi, sec. 4. Public school teacher to be examined in physiology, etc.

Sec. 80. No board of school visitors or school committee shall change any text-books used in the public schools, except by a two-thirds vote of all the members of the board or committee, notice of such intended change having been previously given at a meeting of

G. S. sec. §136. Change of text-books.

¹ A general certificate, without limitation of time, given to a teacher, qualifies him to teach in any district of the town, until it is annulled or a re-examination ordered. 36 Conn., 282.

² Secs. 43, 102, 170. May employ teachers if district neglect or refuse, sec. 132.

³ Sec. 172. ⁴ Secs. 61, 128. ⁵ Secs. 134, 135. ⁶ Sec. 61.

⁷ Powers and duties not given above are stated in connection with the following :

said board held at least one week previous to such change.

G. S. sec. 2136.
1887, ch. cxliv.
Supplementary
reading.

Sec. 81. The board of education of any district or the board of school visitors or town school committee of any town may, in addition to the text-books prescribed according to the provisions of section 78, prescribe the use of other series of books to be used as text-books in reading ; *provided*, such additional series are purchased by the district or town, and the use thereof furnished free to the scholars.¹

G. S. sec. 2187.
Vaccination of
public school
children.

Sec. 82. The board of school visitors of any town shall have authority to require that every child shall be vaccinated before being permitted to attend any public school under their jurisdiction. If the parents or guardians of any children are unable to pay for vaccination when so required, the expense of vaccinating such children shall, on the recommendation of said board, be paid out of the town treasury.²

Expenses, how
defrayed.

¹ Duties as to free text-books, sec. 45.

² The provisions of this statute do not violate the constitution of the United States nor of this State, and are a reasonable exercise of the police power of the State. *Bissell v. Davison*, 65 Conn., 188.

Education is not so much a technical right possessed by a child or his parents as a privilege or advantage granted by the State to be used or engaged upon such reasonable terms and conditions as the law-making power within constitutional limits may see fit to impose.

See Note 7, p. 31.

1. Enforcement of laws relating to :

(a) Employment of children. Sec. 4.

(b) Attendance and instruction. Sec. 26.

1. May inspect certificates of attendance. Sec. 24.

2. May grant certificates of attendance. Sec. 24.

3. May nominate to selectmen persons to be appointed special constables. Sec. 35.

2. Normal school ; shall assist in selection of students. Secs. 9, 10.

3. Returns to school visitors by :

(a) District committee of beginning and close of term. Sec. 171.

(b) District committee of enumeration. Secs. 171, 177.

(c) District committee of enumeration in the parts of joint districts. Sec. 171.

(d) District committee of receipts, expenditures, statistics, etc. Sec. 171.

(e) District clerk of names of district officers. Sec. 127.



Sec. 83. The boards of school visitors shall have the same supervision over public evening schools,¹ established pursuant to this title, as is by law conferred upon the school committee of consolidated districts.²

*G. S. sec. 2138.
Supervision of
evening schools.*

Sec. 84. The board of school visitors, board of education, or town committee, as the case may be, of any town wherein such public evening schools are established and maintained, shall, annually, upon the first

*G. S. sec. 2139.
Expenses paid
in part by the
State.*

4. School buildings (a) Inspection. Sec. 87. Buildings must be in satisfactory condition. Sec. 133.
 - (b) Approve sites. Sec. 134.
 - (c) May fix sites in adjoining towns on application of a district. Sec. 135.
5. Enumeration and distribution of State money :
 - (a) Shall make enumeration if committee fails. Sec. 177.
 - (b) Shall examine returns of enumeration. Sec. 181.
 - (c) Shall lodge returns with town treasurer. Sec. 181.
 - (d) Shall make returns to comptroller. Secs. 90, 181.
 - (e) Shall certify to Comptroller that schools have been kept according to law. Sec. 182.
 - (f) Shall withhold certificate if schools have not been kept according to law. Sec. 185.
6. Estimates (a) Shall as a joint board with selectmen make preliminary estimates, and notify committees. Sec. 189.
 - (b) Shall as joint board with selectmen present estimates to town meeting. Sec. 191.
7. Appropriations (a) Shall as joint board with selectmen fix amounts and notify each district. Sec. 191.
 - (b) May as joint board with selectmen appropriate moneys for school libraries. Sec. 174.
8. Expenses (a) Shall as joint board with selectmen report cost for preceding year to town meeting. Sec. 191.
 - (b) Shall as joint board with selectmen pass upon expense in addition to amounts appropriated. Sec. 192.
 - (c) Apportion expense of joint districts, and report to selectmen of each town. Sec. 202.
9. Payment of teachers. Shall give certificate to selectmen that schools have been kept according to law. Secs. 192, 193.
10. Consolidated districts. On abandonment of town system town committee remains board of visitors. Sec. 166.
11. Admission of non-resident scholars. May in connection with committee admit such scholars. Sec. 140.
12. Union of small schools. Shall approve such union. Sec. 196.
13. May make complaint to board of health when sanitary condition of schoolhouse is unsatisfactory. Sec. 210.

¹ Sec. 65.

² Sec. 152.

Monday of June, certify to the Comptroller the average number of scholars attending such schools within the current school year,¹ said year beginning on the first day of September; and the Comptroller shall thereupon draw his order on the Treasurer of the State in favor of such board of school visitors, board of education, or town committee, for the use of such schools, in the sum of one dollar and a half for each scholar included in the number so certified, and the treasurer shall pay the same upon presentation.

G. S. sec. 2140.

Evening schools
must be main-
tained, how long.

Sec. 85. It shall be the duty of boards of school visitors, boards of education,² and town committees³ of towns claiming the benefits of sections 65, 69, 73, and 74 to maintain such evening schools for a continuous term of not less than fifty sessions in each school year, as above defined, and to report annually during the month of September to the State Board of Education concerning the condition and progress of the same.⁴

G. S. sec. 2142.

Meetings.

Sec. 86. The chairman of each board of school visitors, or, in case of his absence or inability to act, its secretary, shall call a meeting of the board at least once every six months, and whenever he deems it necessary, or is requested in writing so to do by three of its members. If no meeting is called within fourteen days after such a request has been made, one may be called by any three members of the board, by giving the usual written notice to the others.

1893, ch. xli.
Visitation of
schools.

Sec. 87. The board shall annually assign the duty of visiting the schools of the town to one or more of their number; if one only is assigned, he shall be called the acting school visitor or superintendent of public schools; if more than one, they shall be called the acting school visitors,⁵ and such school officer or officers shall visit such schools at least twice during each term, once within four weeks after the opening, and again during the four weeks preceding the close, at which visit the schoolhouse and outbuildings,⁶ school register,⁷ and library⁸ shall be examined, and the studies, disci-

¹ Sec. 190.

² Secs. 54, 57.

³ Secs. 149, 152.

⁴ Sec. 2.

⁵ For duties in connection with payment of teachers, etc., secs. 192, 193.

⁶ Sec. 135.

⁷ Secs. 2, 176.

⁸ Sec. 173.

pline, mode of teaching, and general condition of the school investigated. Half a day shall be spent in each school so visited, unless otherwise directed by the board. They shall, one week at least before the annual town meeting, submit to the board a full written report of their proceedings, and of the condition of the several schools during the year preceding, with plans and suggestions for their improvement.

Sec. 88. Boards of education,¹ town committees,² and boards of school visitors may appoint a person, not one of their own number, to be acting school visitor or superintendent of schools, who shall have all the powers, perform all the duties, and receive the pay prescribed by law for acting school visitors, and any town at its annual town meeting may fix the compensation³ of the acting school visitor or superintendent.

G. S. sec. 2144.
Appointment of
acting school
visitor or super-
intendent.
His powers,
duties.

Sec. 89. Whenever the acting school visitor shall find that any pupils in the public schools are not supplied with the text-books prescribed by the school visitors, and in the opinion of said school visitor the parents of the pupils are unable to buy the required books, the said acting visitor shall purchase the said books and shall certify the cost of the same to the selectmen, who shall draw an order on the town treasurer for the payment of the bill.

1897, ch. xxvii.
Town to pro-
vide text-books
when parents
are unable.

Sec. 90. The board of school visitors shall make returns, signed by the chairman and secretary, of the number of persons over four and under sixteen years of age in their respective towns to the Comptroller,⁴

G. S. sec. 2145.
Returns to the
Comptroller.

And shall in said returns specify how many of those thus returned attended some school, public or private, within the previous calendar year, and how many did not attend any school within that year.

They shall also state how many of those who attended no school were under five years of age, how many were over five and under eight, how many were over eight and under fourteen, and how many were over fourteen and under sixteen years of age.

¹ Secs. 54, 57.

² Secs. 149, 152.

³ Secs. 96, 97.

⁴ Secs. 177, 181, 182.

Town not to
receive school
money from the
State unless
return be made.
Certificate to
selectmen.

And the chairman and secretary shall draw orders on him for the public money due the town as prescribed in chapter xiii. But no town shall receive any money for schools, from the State treasury, unless the returns herein required are duly made.

After the close of each term of school in any district, the school visitors shall give to the selectmen a certificate stating whether each school has been kept in all respects according to law or not ;¹

Joint duties
with selectmen.

And shall, in connection with the selectmen,² perform the duties required by the provisions of said chapter, and make the apportionment required in the case of districts formed from parts of two or more towns, as prescribed in section 202.

G. S. sec. 2146.
Duties of the
secretary.

Sec. 91. The secretary of the board shall keep a record of all its proceedings and of those of the acting school visitors, and of the decisions of the joint board of school visitors and selectmen,³ required by said chapter, in a book which he shall provide for that purpose at the expense of the town;

Shall submit to the town at its annual meeting a written report of the doings of the board, with the report of the acting school visitors;⁴

And on or before the fifteenth day of October, send two copies of said reports to the secretary of the State Board of Education; and shall furnish such additional returns and statistics respecting the schools of the town as said board may call for.

Forfeiture for
failure to make
returns to State
board.

And if the returns and statistics⁵ called for by the secretary of the State Board of Education shall not be sent to him on or before said fifteenth day of October, then every town and every school district⁶ required by law to make separate returns, whose returns and statistics shall be willfully or negligently delayed till after that day, shall forfeit of the one dollar and fifty cents per child which is paid from the State treasury,⁷ one per cent. for the first week of such delay, two per cent. for a

¹ Secs. 192, 193.

² Secs. 189, 191, 192, 200.

³ Duties of joint board, secs. 189, 191, 192, 200.

⁴ Sec. 87.

⁵ See sec. 2, note.

⁶ Secs. 57, 152.

⁷ Sec. 192.

delay of two weeks, three per cent. for a delay of three weeks, five per cent. for a delay of four weeks, and ten per cent. for a delay exceeding four weeks.

Sec. 92. The secretary of the State Board of Education shall annually, in January, give to the Comptroller, in writing, a list of the towns and districts which have incurred the forfeiture described in the preceding section, with the percentage of forfeiture in each case; and the Comptroller, in making payment of school moneys aforesaid,¹ shall deduct the amount of money which each town or district shall have forfeited under the provisions of said section.²

G. S. sec. 2147.
Secretary of State board to report forfeitures.

Sec. 93. It shall be the duty of all school visitors to report to the Comptroller if the provisions of sections 41 and 42 have not been complied with; and any failure thus reported, or otherwise satisfactorily proven, shall be deemed sufficient cause for withholding the amount of school dividend which such district or districts are otherwise entitled to receive.

1898, ch. civii, sec. 8. Report as to compliance with this act to be made.

Sec. 94. The school visitors of each town, and the board of education in consolidated districts,³ shall annually in the month of October return to the secretary of the State Board of Education⁴ the names and post-office addresses of district committees, and also within four weeks from the beginning of each school term return the name and post-office address of each teacher employed in the public schools of such town or consolidated district.

G. S. sec. 2148.
Address of district committees and teachers to be sent to State board of Education.

Sec. 95. All school officers shall preserve all books and documents of permanent value, pertaining to schools, which come into their hands by virtue of their offices, and transmit them to their successors.

G. S. sec. 2149.
Preservation of books and records.

Sec. 96. The secretary and other acting school visitors shall be paid by the town for the time actually employed in the performance of their duties two dollars a day, each, and in like proportion for parts of days, and such further compensation as their respective towns may fix at an annual meeting.

G. S. sec. 2150.
Compensation of secretary and acting visitor.

¹ Sec. 182.

² Remission of forfeitures, sec. 204.

³ Chapter ix, page 52.

⁴ See note to sec. 2.

G. S. sec. 373L.
Compensation
of acting school
visitors.

Sec. 97. Acting school visitors shall receive two dollars a day each for the time actually employed in the performance of their duties, and like proportion for parts of days, and such further compensation as their respective towns may fix at an annual meeting.

G. S. sec. 2151.
Reports and
returns, how
sworn to.

Sec. 98. All reports and returns required by the provisions of this title to be made on oath or affirmation may be affirmed or sworn to before any school visitor.

CHAPTER VIII.

School Districts

[GEN. STAT., CHAPTER CXXXV, PAGE 470]

SECTION

99. Committee to be *ex officio* agent.
100. Formation and alteration of districts.
101. Division of districts formed from parts of two or more towns.
102. Powers of school districts.
103. Records of names and bounds.
104. Settlement of boundary lines.
105. Notice of proposition to alter school districts.
106. Appeals to superior court.
107. Proceedings on appeals.
103. Disposition of school property on alteration of districts.
109. Division of real estate.
110. Settlement of proportions of indebtedness of divided school district.
111. Powers of superior court, in premises.
112. Associations formed under Act of 1841.
113. Control of districts formed from parts of two or more towns.
114. District meetings, when held and how called.
115. District meetings, where held.
116. Notice of meetings.
117. Legal voters of school districts.
118. What paupers may vote in district meetings.
119. Conduct of school meetings, registry list, etc.
120. What matters decided by ballot, polling places, etc.

SECTION

121. Special meetings.
122. Compensation for preparing lists.
123. Choice of moderator; illegal voting in district meetings.
124. Officers, qualifications, and appointment.
125. Appointment of a committee of three.
126. Majority to elect.
127. Certificate of election of officers to be forwarded to the secretary of board of school visitors; penalty.
128. Vacancies, how filled.
129. Duties of officers.
130. Bonds may be required from officers.
131. Records and papers to be open to inspection; penalty.
132. Neglect of a district to open school.
133. Every district must have a schoolhouse.
134. Erection of schoolhouses.
135. Fixing site.
136. Districts may take land for schoolhouses.
137. Mode of taking land.
138. Owners to be paid before land is occupied.
139. Land of ecclesiastical society not to be taken.
140. Non-resident scholars.
141. Use of schoolhouse for other purposes.

G. S. sec. 2152.
Committee to
be *ex officio*
agent.

Sec. 99. In the absence of any special appointment, the committee of any school district shall be the agent *ex officio* of said district.

Sec. 100. Each town shall have power to form, unite, alter, and dissolve school districts and parts of school districts within its limits;¹ and any two or more towns may form school districts of adjoining portions of their respective towns.²

G. S. sec. 2153.
Formation and
alteration of
school districts.
1897, ch. xxiv.
sec. 1.

Sec. 101. Whenever a school district is formed from parts of two or more towns, either of said towns shall have power to divide such district by annexing the portions lying in said town to any adjoining district therein.³

1897, ch. xxiv,
sec. 2.
Division of dis-
tricts formed
from parts of
two or more
towns.

Sec. 102.⁴ Every school district shall be a body corporate and shall have power to sue and be sued,⁵ to purchase, receive, hold, and convey real and personal property for school purposes.

G. S. sec. 2155.
Powers of
school districts.

To build, purchase, hire, and repair schoolhouses, and supply them with fuel, furniture, and other appendages and accommodations.⁶

To establish schools of different grades.⁷

To purchase globes, maps, blackboards, and other school apparatus.⁸

To establish and maintain a school library.⁹

¹ Procedure. Sec. 105.

² A validating act makes not only the first meeting held under a defective warning legal, but all the subsequent proceedings so far as affected by the illegality of the first meeting. 52 Conn., 44.

³ See sec. 100.

⁴ There is no authority conferred on a school district to raise money for other purposes than those specified in Gen. Stat., Sec. 2155. 60 Conn., 230.

⁵ Districts may sue by the name by which they are generally known. 18 Conn., 234.

Every inhabitant of a district is a party to any suit brought against it, and may appear and defend, and is concluded by the judgment; and his property may be taken upon any execution issued against it. 10 Conn., 395-397.

⁶ Secs. 133, 134, 135.

Much must be left to the discretion of a district in determining as to the character and cost of its schoolhouses, and the courts will not interfere unless in a case where such discretion has been manifestly abused. Providing a hall in the building separate from the schoolrooms for district meetings, lectures, etc., is not necessarily improper. 25 Conn., 226, 227.

⁷ School visitors have power to classify. Sec. 78.

⁸ If purchased by State aid must be approved by school visitors. Sec. 173.

⁹ Chapter xi, page 63.

To employ teachers,¹ except for such time as the town may direct the school visitors to employ the teachers.

And shall pay the wages² of such teachers as are employed by the district committee in conformity to law ;

To lay taxes³ and borrow money for all the foregoing purposes ;⁴

And to make all lawful agreements and regulations for establishing and conducting schools, not inconsistent with the regulations of the town having jurisdiction of the schools in such district.⁵

G. S. sec. 2156.
Records of
names and
bounds.

Sec. 103. The name, number, and limits of every school district shall be entered on its records, and on the records of the town or towns to which it belongs.⁶

G. S. sec. 2157.
Settlement of
boundary lines.

Sec. 104. When the boundary lines of any district are not clearly settled and defined, the selectmen of the town in which it is situated shall settle and define the same ; they shall also settle and define the boundary lines of any new district ; and when said selectmen cannot agree in settling and defining said lines, the town to which said district belongs may appoint three indifferent persons for that purpose, who shall have the same authority therein as is herein conferred upon said selectmen ; and when parts of such districts lie in two or more towns, the selectmen of the

¹ Secs. 43, 78.

Districts have power to remove teachers as well as to appoint them. 33 Conn., 304.

² Secs. 192, 193.

³ A vote laying a tax need not specify the particular expenses which it is designed to meet if it can be inferred with reasonable certainty that it is imposed for legitimate purposes. 12 Conn., 439. For method of levying taxes see chapter xvii, page 88.

⁴ A district cannot raise money by taxation for purposes beyond the scope of its powers, even though approved by a majority of its voters, and this section limits the purposes to those specified in it. 60 Conn., 234.

⁵ Chapters iii and vii, pp. 16, 29. -

⁶ If proper officer fails to make record, he can be compelled to do it by writ of mandamus, but the omission of it does not affect the legal existence of the district. 52 Conn., 44.

In the absence of record evidence of the establishment of school district, its legal character as such may be proved by reputation.

The district claiming the territory in question must show a definite line bounding it. 54 Conn., 74.



towns in which any such parts is situated, or, in case of disagreement, three indifferent persons appointed by any judge of the Superior Court, on application of either town and notice to the other, shall settle and define the boundary lines of such part.

Sec. 105. When it is proposed to form, alter, unite, or dissolve any school district or districts, notice¹ that such change is proposed shall be posted on the schoolhouse in each school district to be affected, or if there be no schoolhouse in any of such school districts, at the usual place for posting warnings for meetings of such districts, and printed in a newspaper or newspapers published in the town to which such districts or any one of them may belong if any there be, and a copy of the same shall be left with the clerk of each of said districts at least fifteen days before the town is called to act upon the proposition.

G. S. sec. 2158.
Notice of proposition to alter school districts.
1896, ch. cxxx.

Sec. 106. When application shall be made to a town to form, alter, or dissolve a school district, or to unite two or more school districts, any district aggrieved by the action or neglect of action of the town, in the premises, may appeal from such action or neglect of action to the Superior Court of the county in which such town is situated, within one year next after the action or neglect appealed from, by an application containing a brief statement, that such an appeal is taken, by whom, and from what, signed by the agent of the appellant; to which shall be annexed a citation signed by proper authority, notifying the appellees to appear at the court to which such appeal is taken; and service thereof shall be made by some proper officer by leaving a true and attested copy of such appeal and citation with the town clerk, or a selectman of such town, and with the clerk, or one of the district committee, of any other district interested, at least twelve days before the session of the court.²

G. S. sec. 2159.
Appeal to Superior Court.

Mode of appealing.

¹ Notice need not be signed by selectmen, but one signed by one member of district in behalf of himself and others sufficient. 52 Conn., 44.

² 54 Conn., 50.

G. S. sec. 2160.
Proceedings on
appeals.

Sec. 107. Said court shall have the same powers to act upon said application that said town had, and may appoint a committee to report the facts and its opinion thereon; and the final decree of the court shall be recorded in the records of said town; and said court may allow and tax costs at its discretion, including fees for surveys, copies, and recording decree. Unless the town shall thereafter abolish all the school districts and parts of districts within its limits, no alteration of the lines fixed by such decree shall be made, except by the Superior Court of such county; which shall have original jurisdiction of any application for the purpose made by any district interested.

Effect of decree

G. S. sec. 2161.
Disposition of
school property
on alteration of
districts.

Sec. 108. When any districts shall be consolidated, the new district shall own all the property of the several districts; and when a district shall be divided, its property, or the income and proceeds thereof, shall be distributed among the several parts, in proportion to the number of persons between four and sixteen years of age in each; and in case the distribution shall not be made before the district is divided, and the several parts cannot agree, the selectmen of the town, or if the district lies in two or more towns, the selectmen of the several towns, shall distribute the same.

G. S. sec. 2162.
Division of real
estate.

Sec. 109. When, on any such division of a district, its only or principal property shall consist of a schoolhouse and real estate connected therewith, which cannot be divided between the several parts of said district without great inconvenience, the selectmen of the town, instead of dividing such schoolhouse and real estate, shall set it all to one part, and award that the other part or parts shall receive, from the part to which it is set, such sum of money as such selectmen may deem just; and such award shall be binding upon the several parts of said district.

1893, ch. cxxiii,
sec. 1.
Settlement of
proportions of
indebtedness of
a divided school
district.

Sec. 110. Whenever any school district has been or shall hereafter be divided into two or more districts, and the said districts cannot agree upon the distribution of the property and assets of said districts, between the two districts, or cannot agree upon the proportion that each district shall pay of the debts of the district owing at

the time of the division, either of said districts may bring its complaint to the Superior Court in the county in which said districts are located, praying for such relief as it claims it is entitled to:

Sec. 111. Such complaint shall state the facts upon which the plaintiff claims relief, and shall be served upon the respondent district in the same manner as in civil actions, and said court may distribute the property and assets between the districts or set the entire property and assets to one district, as it shall find for the best interests of the district; and in case the property and assets are set to one of said districts, shall find and decree the sum of money that such district so receiving said property shall pay to the other district; and said court shall find and decree the proportion that each district shall pay of the debts and liabilities outstanding at the time of the division.

Sec. 112. All associations under the act of 1841, allowing any two or more adjoining school districts to associate together and form a union district, entered into before the repeal of said act, shall continue to be managed and regulated according to the provisions of said act, unless the town shall abolish or consolidate all the school districts within its limits.¹

Sec. 113. The schools in every school district formed from parts of two or more towns shall be under the charge and direction of the town in which the schoolhouse is situated, unless the towns shall agree otherwise.²

Sec. 114. Every school district shall hold an annual meeting in the month of June in each year, for the choice of officers, and for the transaction of any other business relating to schools; and shall also hold a special meeting when the same shall be duly called.³

Sec. 115. District meetings shall be held at the district schoolhouse; but if there be no suitable schoolhouse, the committee, if there be one, otherwise the clerk, and if there be no committee or clerk, the select-

1893, ch. cxviii,
sec. 2.
Powers of Superior Court in the premises.

G. S. sec. 2163.
Associations formed under Act of 1841.

G. S. sec. 2164.
Control of districts formed from parts of two or more towns.

G. S. sec. 2165.
District meetings, when held and how called.

G. S. sec. 2166.
District meetings, where held.

¹ Chapter ix, page 52.

² Method of apportioning money, secs. 90, 202.

³ Secs. 121, 170.

men of the town to which said district belongs shall determine the place of meeting, which shall, in all cases, be within the district.

G. S. sec. 2167.
Notice of meet-
ings.

Sec. 116. Notice of the time,¹ place, and object of every meeting of the district shall be given at least five days previous to holding it, including the day the notice is given, but not including the day of holding said meeting. The committee, or, if there be no such committee, the clerk, or, if there be no committee or clerk, the selectmen of the town, shall give notice of a district meeting, either by publishing the same in a newspaper printed in the district, or by posting a notice on the schoolhouse, or on the sign-post in the district, or in some other mode previously designated by the district; but if there be no such newspaper, schoolhouse, or sign-post, or other mode so designated, the selectmen of the town to which said district belongs shall determine how the notice shall be given. The person or persons giving such notice shall, on the day of giving it, leave a duplicate of it with the clerk, if any, of the district; if not, with the selectmen to be delivered to the clerk when appointed, who shall preserve it on file.²

G. S. sec. 2168.
Legal voters of
school districts.

Sec. 117. The legal voters³ of any school district shall consist only of the legal voters of the town or towns in which said district is situated, who have resided in said school district for the period of four months next immediately preceding.

G. S. sec. 2169.
What paupers
may vote in dis-
trict meetings.

Sec. 118. No inmate of the almshouse of any town, other than the officers and employes of the town residing therein, shall be entitled to vote at any school meeting of the district wherein such almshouse is situated,

¹ The meeting must be opened within a reasonable time after the hour specified in the warning. A delay of over an hour is not necessarily unreasonable. 18 Conn., 234.

² All that is required in the notice is, that it should be so expressed that the inhabitants may fairly understand the purpose of the meeting. 18 Conn., 234. If it state the object plainly, it need not specify the mode of accomplishing it, and if there is more than one sign-post in the district, the notice may be posted on any of them. 15 Conn., 332.

It is not necessary to state business in warning so fully or precisely that no opportunity for change and no variation of mode shall be left to meeting. 55 Conn., 246.

³ Secs. 263-266.

unless a resident of such district at the time of his becoming such inmate.

Sec. 119. In every school district whose limits are the same as the limits of the town in which it is situated, the town registry list shall be the registry list for school purposes,¹ and in every other school district enumerating four hundred or more children, as returned to the Comptroller, the registrars of voters of the town in which the schoolhouse of said district is situated shall have the same powers in reference to voting lists, appointing moderators and box-tenders of school-district meetings, as they now have in the election of town, city, or ward officers; and said registrars of voters shall, upon the written request of twenty or more legal voters of said school district, deposited with either of said registrars of voters at least twenty days before the annual meeting of said district, prepare and complete a correct list of all the legal voters of said school district, and lodge the same with the clerk of said district at least five days before said annual meeting; and in every other school district the clerk of said district shall, upon the written request of twenty or more legal voters of such district, lodged with said clerk at least twenty days before the annual meeting of said district, prepare the check list of the legal voters of said district, to be used at any meeting for the election of officers in said district, or for the taking of any vote by ballot which may be requested by one third of the legal voters present at any meeting of the school district; and it shall be his duty to add to said list the name of any legal voter omitted, and to erase therefrom the name of any person improperly entered thereon, and for this purpose he shall have all the powers within said district which the registrars of voters have in their respective towns.

Sec. 120. Whenever one-third of the legal voters present at any meeting of a school district having such registration shall request that any vote or votes upon any question pending before such meeting shall be taken by ballot and check-list of the legal voters of said district,

G. S. sec. 2170.
Conduct of
school meeting,
registry list, etc.

G. S. sec. 2171.
What matters
decided by bal-
lot, polling
places, etc.

¹ Sec. 150.

the chairman of such meeting shall cause said vote or votes to be so taken, and if said vote or votes cannot be then and there conveniently and properly taken, he shall, upon the like request of said one-third of the legal voters present, adjourn said meeting to the usual polling place or places in said district, if there be any, and if there be none, then to the most suitable and convenient place or places in said district, at such time within one week thereafter as he may designate, when and where said vote or votes shall be taken between the hours of nine o'clock in the morning and five o'clock in the afternoon, and the result shall be ascertained and declared by said chairman, and recorded by the clerk upon the records of said district.

G. S. sec. 2172.
Special meetings.

Sec. 121. Upon the written request of twenty or more legal voters of any school district having such registration, to the committee to call a special meeting to vote by ballot and check-list upon any resolutions appended to such request, said committee shall call such meeting within three weeks thereafter, at some suitable time and place in such district, to be particularly stated in the call, when and where said vote or votes shall be taken, and the result ascertained, declared, and recorded in the manner provided in the preceding section. Upon like request, the committee of any school district having such registration shall cause all elections of officers of such district to be had by ballot and check-list, as in this and the preceding section provided.

G. S. sec. 2173.
Compensation for preparing lists.

Sec. 122. The compensation of each of said registrars of voters, or of said district clerks for preparing said lists, shall be the same *per diem* as that paid by the town in which said district is situated to said registrars of voters, *per diem*, for preparing the voting lists used at State, town, city, or ward elections, and shall be paid by the treasurer of the school district for which such list is prepared.

G. S. sec. 2174.
Choice of moderator; illegal voting in district meeting.

Sec. 123. Every meeting may choose its own moderator, and may adjourn from time to time to meet at the same or some other place in the district. Every per-

son who shall vote illegally¹ in any school district meeting shall forfeit thirty dollars to the town in which the offense is committed.

Sec. 124. Each school district shall choose, by ballot, at the annual meeting,² a committee of not more than three persons,³ a clerk, who shall be sworn,⁴ and a treasurer and collector;⁵ who shall hold their respective offices for the period of one year from the fifteenth day of July next succeeding, and until others are chosen and qualified;⁶ and any resident of the district so chosen, who shall refuse or neglect to perform the duties of the office, shall pay five dollars to said district; but any new district may choose its officers at its first, or at any subsequent meeting, called by the selectmen of the town;⁷ who shall hold their offices till the annual meeting of such district. The members of the district committee shall be residents of the district; but the other offices may be filled by any inhabitants of the town to which said district belongs.

G. S. sec. §175.
Officers, qualifications and appointment.

1889, ch. xlvii,
sec. 1.

Sec. 125. Any school district having by its last enumeration not less than two hundred children between four and sixteen years of age, may, at any annual meeting, due notice being inserted in the call therefor, order that its committee shall consist of three persons chosen by ballot, divided into three classes holding office for one, two, and three years, and that annually thereafter one member shall be chosen by ballot, to hold office for three years. Should any vacancy occur, the remaining members of the committee may fill it until the next annual district meeting, when all vacancies shall be filled. Whenever any district has appointed its committee as herein provided, such district may, at any special meeting called for the purpose, vote that it will no longer so ap-

G. S. sec. §176.
Appointment of a committee of three in districts having two hundred children, etc.

¹ Sec. 117. ² Sec. 114. ³ Secs. 170, 171.

⁴ Form of oath — "You solemnly swear that you will faithfully discharge, according to law, your duties as clerk of the district to the best of your ability; so help you God." G. S., sec. 3264.

The clerk need not take oath of office immediately after his election, or before taking minutes of the proceedings at a district meeting; provided he takes it before he performs any regular official act, such as making or sanctioning a formal record. 15 Conn., 383.

⁵ G. S., sec. 3876.

⁶ 42 Conn., 32.

⁷ Sec. 50.

point its committee, and thereupon the terms of office of all the members of its committee shall end at its next annual meeting, and thereafter its committee shall be appointed according to the provisions of the general law.

G. S. sec. 2177.
Majority to elect.

Sec. 126. In all elections of officers of school districts, a majority of the votes cast shall be required to elect,¹ unless otherwise expressly provided.

G. S. sec. 2178.
Certificates of election of officers to be forwarded to secretary of board of school visitors.

Sec. 127. The clerk of every school district shall, within thirty days after the election of officers in such district, forward to the secretary of the board of school visitors of the town wherein said school district is located, a certified list of the officers elected at such meeting, together with the post-office address of each. In case any district is situated partly in two or more towns, such list shall be sent to the secretary of the board of school visitors of each of said towns. Any clerk who shall fail to comply with the provisions of this section shall forfeit ten dollars to the district of which he is clerk.

Penalty.

G. S. sec. 2179.
Vacancies how filled.

Sec. 128. If any district, at the time for the annual meeting, shall fail to appoint all, or any of its officers; or if any vacancy shall occur by removal from the district, or otherwise, the school visitors of the town to which such district belongs shall make such appointment² and fill such vacancy, on receiving written notice thereof from any three members of the district; and shall lodge the names of such officers so appointed with the district clerk.

G. S. sec. 2180.
Duties of officers.

Sec. 129. The clerk, treasurer, and collector of each school district shall exercise the same powers and perform the same duties in their respective districts as the clerks, treasurers, and collectors of towns do in their respective towns.³

G. S. sec. 2181.
Bonds may be required from officers.

Sec. 130. Any district may require the treasurer and collector respectively to give bonds to the district,

¹ A plurality vote, taken by ballot, is insufficient to elect the committee of a school district even if they be afterwards declared elected by *viva voce* major vote. 42 Conn., 84.

² Sec. 78.

³ G. S., chapter ix, page 19, town clerk.

“ x., page 21, treasurer.

“ ccxlii, page 861, collector.

to the approval of the district committee, for the faithful discharge of the duties of their respective offices, before assuming such duties.

Sec. 131. All records' and papers relating to or affecting the interest of any school district shall at all times be open to the inspection and examination of any person liable to pay taxes in said district. G. S. sec. 2122. Records and papers to be open to inspection.

Any clerk of a school district willfully concealing, refusing, or neglecting to furnish reasonable access to any such records or papers, or giving false or incorrect information as to the same, shall forfeit twenty-five dollars, one-half to the use of said district, the other half to such person as shall prosecute to effect. Penalty.

Sec. 132. In case of any refusal or neglect by any district to employ a teacher and keep open a school during the usual portion of the year, the school visitors of the town having jurisdiction over such district may employ teachers and keep open a public school in the school-house of said district for the period for which the town would be obliged during that school year to maintain a school in such district ;¹ but the whole expense of any school thus opened shall be paid by the town on the order of the selectmen, upon their receiving a certificate of the amount thereof from the school visitors. And, in any such case, the town shall be entitled to receive the same payments from the school fund and State appropriation as if such school had been kept open by such district in the usual manner. G. S. sec. 2123. Neglect of a district to open school.

Sec. 133. No district shall be entitled to receive any money from the State or town, unless it has a school-house and out-buildings satisfactory to the board of school visitors.² G. S. sec. 2124. Every district must have a schoolhouse.

Sec. 134. No new schoolhouse shall be built except according to a plan approved by the board of school visitors, and by the building committee of such district ; G. S. sec. 2125. Erection of schoolhouses.

¹ The records of a school district are legal evidence of its proceedings in a suit to which it is a party. 13 Conn., 235.

² Sec. 38.

³ School visitors shall inspect schoolhouse and out-buildings twice in each term. Sec. 87.

nor at an expense exceeding the sum which the district may appropriate therefor.

*G. S. sec. §186.
Fixing site of
schoolhouses.*

Sec. 135. The vote of two-thirds of those present and voting at a meeting of the district shall be necessary to fix or change the site of a schoolhouse; but if such two-thirds vote cannot be obtained in favor of any site, the school visitors of any town adjoining the town or either of the towns in which such district is, on application of the district, shall, after conferring with the school visitors of the town or towns in which such district is situated, fix the site, and make return to the town clerk of the town in which such site is to be; and shall receive a reasonable compensation for their services from said district.¹

*Compensation
to school visi-
tors for fixing
site.*

*G. S. sec. §137.
Districts may
take land for
schoolhouses.*

Sec. 136. Any school district may take land which has been fixed upon as a site, or addition to a site, of a schoolhouse for a public school, and which is necessary for such purposes, and for necessary out-buildings and convenient accommodations for its schools, upon paying to the owner just compensation.²

*G. S. sec. §138.
Mode of taking
land.*

Sec. 137. If such school district cannot agree with the owner upon the amount of such compensation, it may prefer its petition to the Superior Court in the county in which the land lies, or, if said court is not in session, to either judge thereof, praying that such compensation may be determined; which shall be accompanied by a summons, signed by competent authority, notifying the owner of the land to be taken, and all persons interested herein to appear before the said court or judge, and shall be served as a writ of summons in civil actions; and upon said petition said court or judge shall appoint a committee of three disinterested men, who after being sworn and giving reasonable notice to the parties, shall examine the land proposed to be taken, and if they approve the site, they shall ascertain its value and assess such sum in favor of the owner as will justly

¹ Under this section a district cannot, without a two-thirds vote, order any term of school to be kept elsewhere than at the regular schoolhouse, if there be one. 28 Conn., 332, 333.

² See sec. 139.



compensate him therefor ; but if they do not approve said site they may fix another site on land of the same owner and proceed as aforesaid, and report their doings to said court or judge, and their report may be rejected for any irregular or improper conduct in the performance of their duties.

Sec. 138. If the report be rejected, the court or judge shall appoint another committee, who shall proceed in the same manner as the first committee were required to proceed ; but if it be accepted by said court or judge, such acceptance shall have the effect of a judgment in favor of the owner of the land against the petitioner for the amount of the assessment made by the committee, and execution may be issued therefor ; and such court or judge may make any order necessary for the protection of the rights of all persons interested in the land taken ; but the land shall not be used or inclosed by the district until the amount of said judgment shall be paid to the party to whom it is due, or deposited for his use with the county treasurer. Said district shall pay the committee a reasonable compensation for their services, to be taxed by said court or judge.

G. S. sec. 1189.
Owners to be paid before land is occupied.

Costs of court.

Sec. 139. No school district, society, city, or town shall take for school purposes the land of any ecclesiastical society upon any part of which a church building has already been erected without the consent of such ecclesiastical society, or any land devoted to or used for cemetery or burial purposes.

G. S. sec. 1190.
Land of ecclesiastical society not to be taken. 1895, ch. xxvii.

Sec. 140. Persons not residing in a school district may attend the public schools therein, if the consent of the committee of such district and of the school visitors of the town be first obtained, but not otherwise.

G. S. sec. 1191.
Non-resident scholars.

Sec. 141. Any school district or town may, by a vote of two-thirds of those present at any legal meeting, allow its schoolhouse or houses, when not in use for school purposes, to be used for any other purpose.¹

G. S. sec. 1192.
Use of school-houses for other purposes.

¹ Districts have no right against the wishes of any of their taxpayers to allow religious meetings to be regularly held in their schoolhouses when the school is not in session if it does any substantial injury to the building or its contents or increases the danger of fire, and an injunction may be granted in such case on the instance of any taxpayer. 27 Conn., 503-508.

CHAPTER IX

Consolidation of School Districts

[GEN. STAT., TITLE XXXV, CHAPTER CXXXVI, PAGE 477]

SECTION

- 142. Consolidation by vote of towns.
- 143. Vote to be by ballot at annual meeting.
- 144. When vote of consolidation takes effect.
- 145. Number of school committee, when and how determined.
- 146. School committee, how first chosen.
- 147. Number to be voted for.
- 148. Classification.
- 149. Names of persons elected to be returned to Secretary of State.
- 150. Voting list.
- 151. School business at town meetings.
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- 153. School committee shall examine, employ, and dismiss teachers.
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SECTION

- 157. Permanent funds, management of.
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- 159. Notice of abolition of part of a school district.
- 160. An abolished district may settle up its affairs.
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- 162. Collection of taxes in favor of districts.
- 163. Abandonment of union system, vote, how taken.
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- 166. Committee of consolidated district to be school visitors of town, on abandonment of town system.
- 167. Taking land for school purposes.
- 168. Payment of school expenses.
- 169. Distribution of school money to towns under town system.

G. S. sec. 2193.
Consolidation
by vote of
towns.

Section 142. Any town may abolish all the school districts and parts of school districts within its limits and assume and maintain control of the public schools therein, subject to such requirements and restrictions as are or may be imposed by the General Assembly; and for this purpose every such town shall constitute one school district,¹ having all the powers and duties of a school district, with the exceptions hereinafter stated.

G. S. sec. 2194.
Vote to be by
ballot at annual
meeting.

Sec. 143. "Whenever a vote shall be taken in any town in reference to abolishing school districts and assuming control of the public schools therein, such vote shall be by ballot, at an annual town meeting, upon notice thereof given in the warning. The selectmen shall provide a ballot-box for that purpose, marked "Consolidation of Districts." Those in favor of such consolidation shall deposit in said box a ballot with the word "yes" written or printed thereon, and those opposed shall deposit a ballot with the word "no" written or printed thereon, and in towns divided into wards or

¹ School districts are mere instruments for the performance of the governmental duty of providing education. 59 Conn., 60.

² For method of procedure under sections 143 to 146 see page 53.

voting districts for annual town meetings such a ballot-box shall be provided at each of such wards or voting districts, and the ballots shall be examined, assorted, counted, and declared in the manner provided by law.

Sec. 144. A vote to consolidate the school districts ^{1889, ch. ccxix, sec. 1.} in any town, in accordance with section 142, shall take ^{When vote of consolidation takes effect.} effect on the first Monday of July next succeeding said vote.

Sec. 145. It shall be the duty of the selectmen of ^{1889, ch. ccxix, sec. 2.} any town so voting to call, not later than the next ^{Number of committee, when and how determined.} first Monday of May, a special meeting of said town to determine the number of which the school committee of such town shall thereafter consist. Such committee shall be composed of residents of said town, and shall be in number either six, nine, or twelve.

Sec. 146. It shall also be the duty of such selectmen ^{1889, ch. ccxix, sec. 3.} to call a special meeting of said town to be held on the ^{Committee, how first chosen.} next first Monday of June, for the purpose of electing by ballot a school committee of such town of the number determined upon at the special meeting held for that purpose, or, if such town shall at such meeting have failed to fix such number of the number of six, nine, or twelve, as said selectmen may determine. In all cases the number of the committee to be elected shall be stated in the warning of said meeting for the purpose of such election. Such election shall be conducted in the same manner as annual elections of said town.

Method of Procedure under Sections 142-148 :

I. In voting on the question of Consolidation of Districts :—

1. The vote can be taken only at the October town meeting. Sec. 143.

2. The ballot-box in which the ballots for town officers are deposited should be marked "Consolidation of Districts." Sec. 143.

3. *Official ballots* with the words "yes" and "no" must be used and can be obtained as other official ballots are obtained. Secs. 1 and 2, pages 1115 and 1116, Acts of 1899.

4. The ballot must be placed in the official envelope with ballots for town officers and deposited in the box marked as stated above. Sec. 3, page 1117, Acts of 1899.

5. The following clause in the warning of the town meeting will be sufficient :—

To determine by ballot whether the town will abolish all the school districts and parts of school districts within its limits and assume and maintain control of the public schools herein.

1889, ch. ccxix,
sec. 4.
Number to be
voted for.

Sec. 147. If the number of the committee to be elected shall be six or twelve, no person shall vote for more than half that number; if the number shall be nine, no person shall vote for more than five, and the six, nine, or twelve persons, as the case may be, receiving at such election the highest number of votes shall be the school committee of said town for the respective terms as hereinafter provided, commencing on the first Monday of July next following.

1889, ch. ccxix,
sec. 5.
Classification.

Sec. 148. The members of such committee so elected shall divide themselves into three equal classes, holding office respectively until the second, third, and fourth subsequent annual town elections of said town, at which elections and every annual election, subsequent to the last thereof, two, three, or four members, as the case may be, shall be elected by ballot for a term of three years, in the manner prescribed for the election of school visitors.¹

1889, ch. cxv.
Names of persons elected to
be returned to
Secretary of
State.

Sec. 149. The town clerks of the several towns shall within ten days after the election of such officers return to the Secretary of the State the names of the persons elected to the offices . . . of school visitors or school committee, with date of expiration of term.

II. The May meeting, to determine the number of which the School Committee shall consist.

If the vote at the October meeting is in favor of consolidation, a town meeting must be held in May, Sec. 145, to determine the number of which the School Committee is to be composed.

The warning must contain a proper clause, and the vote should run as follows:—

The School Committee to be elected on the first Monday in June, 190 , shall consist of . . . *members.

III. The June meeting, to elect a School Committee. On the first Monday in June, Sec. 146, the School Committee must be elected.

The terms of office of the School Committee begin on the first Monday of July. Sec. 147.

* Six, nine, or twelve.

¹ Secs. 46, 47.

Sec. 150. In every school district whose limits are the same as the limits of the town in which it is situated the town registry list shall be the registry list for school purposes.¹ G. S. sec. 2170. Voting list.

Sec. 151. All business relating to public schools in such towns shall be transacted at town meetings.² G. S. sec. 2196. School business at town meetings.

Sec. 152. The school committee in such town shall have in general the powers and duties of district committees;³ and boards of school visitors.⁴ G. S. sec. 2197. Powers and duties of school committees.

Shall see that good public schools of the different grades are maintained in the various parts of the town for not less than the same length of time as would be required had no such consolidation been made.⁵

Shall provide rooms, examine, employ, and pay the teachers, and shall have all the powers and duties in relation to evening schools established under sections 65, 69, 73, and 74 as belong to said committee in connection with day schools. 1896, ch. ccc.

Shall appoint one or more acting visitors⁶ under their direction, to examine teachers and visit schools.

Manage the property of the town pertaining to schools.

Lodge all bonds, leases, notes, and other securities with the treasurer of said town, unless the same have been intrusted to others by the grantors, or the General Assembly.

Pay to the town treasurer all moneys which they may receive for the support of schools.

Determine the number and qualifications of the scholars to be admitted into each school;

Designate the schools which shall be attended by the children within their jurisdiction;

¹ Sec. 119.

² May permit school buildings to be used for other than school purposes. Sec. 141.

³ Chapter x, page 61.

⁴ Chapter vii, page 29.

⁵ Sec. 38.

⁶ Sec. 87. May appoint acting visitor not of their own number. Sec.

And may arrange with the committee of any adjacent town or district for the instruction therein of such children as may attend there more conveniently;

Shall fill any vacancies in their own number;

Shall annually, during the first two weeks of September, ascertain the expenses of maintaining the schools under their superintendence, during the year ending the thirty-first day of the previous August,¹ and report the same, with the amount of moneys received toward the payment thereof, to the annual town meeting;

And shall, at the same time, make a full report of their doings, and the condition of the schools under their superintendence, and of all important matters concerning the same;

And shall perform all lawful acts which may be required of them by the town, or which may be necessary to carry into effect the provisions of this title.²

1895, ch. ccciv.

Sec. 153. The school committees in towns in which the school districts are consolidated shall examine, employ, and dismiss the teachers for the schools of such towns.

G. S. sec. 2198.
Property and
debts of consol-
idated districts.

Sec. 154. Such towns shall assume the property and be responsible for the debts of the districts within their respective limits. Such property may be appraised and the amount of the debts estimated, under the direction of the town, and the appraised value of such property shall be raised by a tax to be laid by the town on its grand list next completed; and the tax-payers in each of the districts previously existing, shall be paid or credited on the rate-bill with their respective proportions of any excess of the property of such district over and above its liabilities, as ascertained by the town; or the difference in the value of the property of the several districts may be adjusted in any other manner agreed upon by the parties

¹ Sec. 190.

² Duties as to (1) Evening schools; Secs. 72, 67, 68. (2) Employment of children in factories; Sec. 4. 3) Text-books; Sec. 80. May prescribe supplementary readers; Sec. 81. May, if town direct, purchase school books for free distribution to pupils; Sec. 45.

³ Each member of a school committee appointed by a vote of a town to repair one of its schoolhouses has the right to enter the building for the purpose of performing that duty. *State v. Foote*, 71 Conn., 737.

in interest. Permanent funds vested in any town for school purposes shall remain in charge of the school fund treasurer of the town.

Sec. 155. Whenever any town shall have assumed control of and appraised the school property, as provided in the preceding section, the town may, by vote in town meeting, extend the time in which the tax-payers of any district or districts shall be required to pay the excess of assessment over the appraised value of the property in such district for a period not exceeding five years, and all the property belonging to the school districts over which any town has assumed or shall assume control, shall be vested in such town to be held for school purposes so long as so required, and may be sold and deeded by said town when not required for school purposes.

*G. S. sec. 2199.
1897, ch. cxix.
Time for payment of tax extended.*

Sec. 156. Whenever any town has voted, or hereafter shall vote, to assume control of all the schools, as provided in this chapter, in case there is a joint district, the selectmen of the towns out of which such joint district is formed shall meet within ten days after receiving a written request for such meeting, signed by the first selectman of either of said towns, and appraise the schoolhouse and other school property owned and used by said joint district, and determine what proportion is owned by the inhabitants of the towns residing in said district. If the several boards of selectmen shall not agree, the same shall be determined by a judge of the Superior Court, upon application of either of the boards of selectmen, and his decision shall be final. The proportion belonging to the tax-payers of the town in which the property is not located, after deducting the indebtedness of the district, shall be paid to the treasurer of such town by the treasurer of the town in which such property is located, and the same shall be remitted to the tax-payers of said town.

*G. S. sec. 2200.
1897, ch. cxix.
Proceedings where there are joint districts.*

Sec. 157. In case any school district, formerly existing in a town in which the school districts have been or shall be abolished or consolidated, has received a permanent fund for the support of a school or schools in said district, the school fund treasurer shall have charge

*G. S. sec. 2201.
Permanent district funds, management of*

of it, and keep a separate account thereof ; and the income of said fund shall be held subject to the order of the school committee, which shall apply it for the benefit of the school or schools within or nearest to the limits of the district formerly existing, in such manner as to carry out, as nearly as possible, the intent of the grantor of said fund.

G. S. sec. 2202.
School libraries.

Sec. 158. Every such town shall be entitled to receive from the State, annually, and upon the conditions prescribed for school districts, for the purposes of school libraries, a sum not exceeding the aggregate amount which the former districts of said town might have received in like circumstances.¹

G. S. sec. 2204.
Notice of abolition of part of a school district.

Sec. 159. When any part of a school district lying in two or more towns shall be abolished or consolidated by either, its selectmen shall give immediate notice thereof to the selectmen of the other town or towns, which shall thereafter provide for the schooling of the children belonging thereto, who formerly belonged to said school district.

G. S. sec. 2205.
An abolished district may settle up its affairs.

Sec. 160. Any school district which has been or shall be abolished by any town may settle and close up its affairs ; and its district committee last elected, or the selectmen of said town, may call special meetings of the district.

G. S. sec. 2206.
Mode of paying debts.

Sec. 161. If any such district has or shall become liable by judgment or otherwise to pay any claims or demands upon it, or expenses and liabilities have been or shall be incurred by it in settling up its affairs after consolidation, the selectmen of said town, upon the request of said district, shall pay the same and charge the amount to the district, and said amount shall be raised by the selectmen adding the same to the tax to be laid by the said town on its grand list next completed of the taxable property of such district.

G. S. sec. 2207.
Collection of taxes in favor of districts.

Sec. 162. Said selectmen shall collect all taxes, claims, and demands in favor of such district, in the name of the district, and credit the same to the district, less expenses of collection.

¹ Sec. 172.

Sec. 163. Any town which shall hereafter assume the control of its public schools, as provided in this chapter, may at any annual meeting, not previous to the fifth annual meeting thereafter, vote to abandon such control and re-establish the several districts as they were before said action, which vote shall be by ballot, in the manner prescribed in section 143.

G. S. sec. 2208.
Abandonment
of union system.
1889, ch. ccii.

Vote how taken.

Sec. 164. When any town has voted to re-establish its school districts as provided in the preceding section, each of the districts shall pay the town for all improvements which the town has made on the schoolhouse, its furniture, and appurtenances within the district. The amounts to be thus paid shall be determined by the selectmen and the school committee of the town. When such payments are made, the town shall restore or make good to each of the districts the school property and local funds formerly belonging to the district. If any district shall refuse or neglect to make the payment required by this section till the expiration of six months after the passage of the vote of the town to re-establish the districts, the selectmen may cause a tax sufficient to make said payment, including the cost of laying and collecting such tax, to be laid on the district in the manner provided by law for school district taxes¹ (except that the selectmen shall perform the duties required of district committees therein), and to be collected and paid to the town.

G. S. sec. 2209.
Town to be re-
imbursed for
improvements.

Amount, how
determined.

Power of select-
men in case of
non-com-
pliance.

Sec. 165. A vote to re-establish the school districts shall not take effect further than to authorize the district to hold meetings, lay and collect taxes, and appoint officers for these purposes, till all the settlements and payments required by the preceding section have been made; and unless such payments and settlements are made within one year after the passage of said vote, said vote shall be null and void.

G. S. sec. 2210.

When vote to
re-establish dis-
tricts takes full
effect.

Sec. 166. When any town in which the school districts have been consolidated under the provisions of the Acts of 1866, 1867, 1869, and 1872, has abandoned or shall abandon such system, the persons elected school

G. S. sec. 2211.
School commit-
tee of consoli-
dated districts
to be school vis-
itors of town on
abandonment of
town system.

¹ Chapter xvii, page 88.

committee of such union districts at the election next preceding such abandonment shall be and remain the members of the board of school visitors of such town; with all the powers and duties of school visitors, during the term of one, two, and three years for which they were or may be respectively elected, in the same manner as if elected school visitors of such town according to the statute in such case provided.

G. S. sec. 2212.

Taking land for school purposes.

Sec. 167. Towns shall have the same powers and be subject to the same regulations as school districts in taking land for schoolhouses, outbuildings, and convenient accommodations for schools.¹

G. S. sec. 2203.

Payment of school expenses.

Sec. 168. The expenses of maintaining public schools in such towns, which shall be incurred with the approval of the school committee, shall be paid by the town, except so far as they may be met by the income from local school funds.

G. S. sec. 2229.

Distribution of school money to towns under town system.

Sec. 169. When any town shall constitute one school district, the Comptroller shall transmit to the treasurer of such town such proportion of the income of the school fund, and of any other money appropriated for the support of the public schools, as the number of persons between the ages of four and sixteen, residing in such town, bears to the whole number of such persons residing within the State, as ascertained by the returns made, as by law provided.²

¹ Secs. 184-188. Towns may not take land used for ecclesiastical or cemetery purposes. Sec. 189.

² Secs. 177, 182.

CHAPTER X

District Committees

[GEN. STAT., TITLE XXXV, CHAPTER CXXXVII, PAGE 481]

SECTION

170. Duties and powers.

SECTION

171. Reports required.

Section 170. The committee¹ of every district shall give due notice of all meetings of the district ;

G. S. sec. 2812.
Duties and
powers.

May call a special meeting² thereof at any time, and shall call one, on the written request of one-fifth or of ten of the legal voters in the district, stating the object for which a meeting is desired, to be held within fifteen days after such request is presented; and for any failure so to comply with such a request they shall forfeit thirty dollars to the district.

They shall, unless otherwise directed by the district, or unless the town has directed the school visitors to employ the teachers,³ employ one or more qualified teachers ;⁴

Shall provide suitable schoolrooms ;⁵

And furnish the same with fuel properly prepared ;

Visit the schools, by one or more of their number, twice at least during each term ;

Shall, when the scholars are not properly supplied with books, and their parents are too poor to furnish

¹ Vacancies filled by board of school visitors. Sec. 128. Must be a resident of the district. Sec. 124.

² Secs. 114, 121, 160.

³ Secs. 48, 78, 132.

⁴ Committee can remove teachers when they think it for the interest of the school, but both in appointing and removing teachers they are subject to the control and direction of the district. 83 Conn., 804. They can employ teachers for a time extending beyond their own term of office. 86 Conn., 282. See last paragraph of this Section.

A contract for the hiring of a teacher, made by two of three members of a district committee, is valid where the third member either authorized them beforehand or consented to it afterwards. 46 Conn., 400.

⁵ Sec. 132. When the district has a proper schoolhouse, the committee cannot provide another school elsewhere. 28 Conn., 333.

them, provide the same, the cost thereof to be included in the incidental expenses of the term ;

Shall suspend during pleasure, or expel from school for the term, all pupils found guilty, on full hearing, of incorrigibly bad conduct ;¹

And shall give such information and assistance to the school visitors of the town as they may require.²

1895, ch. cxxxii.

No committee of any school district of this state elected under the provisions of section 124 of this compilation shall employ any teacher or teachers, or do any other business for said district for a longer period of time than that for which he may have been elected without first obtaining at a meeting of said district legally called for that purpose, a majority vote in favor of such proposed action.

G. S. sec. 221.
Reports
required.

Sec. 171. The committee shall give to the secretary of the board of school visitors notice of the date of the commencement and close of each school term, within one week of said commencement, and at least four weeks before the close, respectively ; and each committee shall, at the expiration of its term of office, on the fifteenth day of July in each year, or within five days thereafter, report to the school visitors in the manner and form prescribed by the State Board of Education.³

1889, ch. xlvii,
sec. 2.

They shall return an enumeration of the children residing in the district on the first day of October in each year, in accordance with the provisions of this title ;⁴

And the committee of every district, formed from parts of two or more towns, shall make such return to the school visitors of each of said towns, specifying the towns to which each person so enumerated belongs ; and shall make returns to the secretary of the board of school visitors of the town having jurisdiction over the district of the receipts, expenditures, and statistics, in accordance with blank forms furnished by the secretary of the State Board of Education.⁵

¹ A member of a school committee can forcibly expel from the school-house a pupil who answers him with insolence and profanity. 41 Conn., 446.

² To be notified of estimates and appropriations. Secs. 189, 191.

³ Sec. 2.

⁴ Sec. 177. Time of return of enumeration. Sec. 179. ⁵ Sec. 201.

CHAPTER XI

School Libraries and Philosophical Apparatus

[GEN. STAT., TITLE XXXV, CHAPTER CXXXIX, PAGE 483]

SECTION

172. When State aid may be had, etc.
 173. Selection of books and apparatus.

SECTION

174. Committee on library and apparatus.

Section 172. The Treasurer of the State, upon the order of the secretary of the State Board of Education,¹ shall pay ten dollars to every school district, and to every town maintaining a high school, which shall raise by tax or otherwise a like sum for the same purpose, to establish within such district, or for the use of such high school, a school library composed of books of reference, and other books to be used in connection with school work, and to procure maps, globes, or any proper philosophical and chemical apparatus; and the further sum of five dollars annually,² upon a like order, to every such district or town which has raised a like sum for the current year for maintaining or replenishing such library or apparatus. And if the number of scholars in actual attendance³ in any such district or high school exceeds one hundred, the Treasurer shall pay ten dollars in the first instance, and five dollars annually thereafter, for every one hundred or fractional part of a hundred scholars in excess of the first hundred. The expense incurred by any district in accordance with the provisions of this section may be reckoned among its incidental expenses, and be defrayed in the manner provided in this title for such incidental expenses.

G. S. sec. 2218.
¹ When State aid may be had.

To large districts or high schools.

Expense to be reckoned among the incidental expenses of the district.

Sec. 173. The selection of all books and apparatus to be purchased shall be made or approved by the board

G. S. Sec. 2219.
 Selection of books and apparatus.

¹ Account is kept by State Board of Education. Sec. 6.

² The library year coincides with the calendar year.

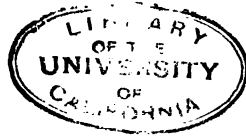
³ "Actual attendance" is construed to mean the number of different scholars registered in the school year.

of school visitors ; which shall also prescribe the rules for their management, use, and safe keeping.¹

1889, ch. xvii.
Committee on
library and
apparatus.

Sec. 174. The joint board of selectmen and school visitors in each town shall have power to appropriate money for the purchase of books and apparatus to be used in the public schools of the town. The money thus appropriated shall be expended by a committee on libraries and apparatus, which shall be annually appointed by the school visitors, to whom the treasurer of the town shall pay such money upon the written order of such committee. The Treasurer of the State, upon the order of the secretary of the State Board of Education, shall annually pay the said committee five dollars for every public school within said town, and if the number of scholars in any public school within the town exceeds one hundred, the Treasurer shall annually pay to said committee five dollars for every one hundred scholars and fractional part of one hundred scholars in actual attendance at such school ; *provided, however*, that no greater amount shall be paid to such committee by the State than is paid during the same year by the town for the same purpose ; *and provided further*, that any amount paid by the State under section 172 to any district or for any high school within said town shall be deducted from the amount payable under this act. The books and apparatus purchased under the provisions of this act shall be and remain the property of the town, and under the care and control of the said committee on libraries and apparatus.

¹Secs. 78, 102. School visitors shall inspect library twice each term.
Sec. 87



CHAPTER XII

Teachers

[GEN. STAT., TITLE XXXV, CHAPTER CXL, PAGE 484]

SECTION

175. Certificate of examination required.

SECTION

176. Duties as to school register.

Section 175. No teacher shall be employed¹ in any school receiving any portion of its support from the public money until he has received a certificate of approbation, signed by a majority of the board of school visitors, or by all the committee by them appointed;² nor shall any teacher be entitled to any wages,³ so far as the same is paid out of any public money appropriated to schools, unless he can produce such certificate,⁴ dated previous to the opening of his school.

G. S. sec. 2221
Certificate of
examination by
school visitors.

- ¹ May be employed by (a) school visitors. Sec. 43.
(b) Boards of education. Sec. 54.
(c) District committees. Sec. 170.
(d) Town committees. Sec. 152.
(e) High school committees. Sec. 60.

Teacher of music. Sec. 44.

- ² May be examined by (a) State Board of Education. Sec. 5.
(b) School visitors. Sec. 78.
(c) Boards of education. Sec. 57.
(d) Town committee. Sec. 152.

³ Shall be paid once a month unless district vote otherwise. Sec. 192.

⁴ A general certificate of examination and approbation not limited to any particular district or term of school makes the holder qualified to teach in any district of the town unless it is revoked or a re-examination required. 36 Conn., 282. Teachers may be discharged by the district, or in the absence of any action by the district, by the district committee, if they think it for the interest of the school. If improperly discharged against the orders of the district, they will be reinstated by a writ of mandamus. 33 Conn., 304-306.

The provision as to *new certificate*, if required by school visitors, applies only to certificates limited as to time or qualification. 36 Conn., 282.

A school district contracting with a teacher who has an old certificate from the board of school visitors, without requiring a new one, cannot afterwards repudiate the contract because he should have had a new one. *Id.*

G. S. sec. 2222.
 Teacher to keep
 register.
 1896, ch. xxi.

Sec. 176. The teacher of every public school shall correctly keep the school register provided by the State, in the manner and form required by the State Board of Education,¹ and at the end of each school term, and before said teacher shall leave such school, shall certify in writing to the correctness of the same, and immediately deliver the same to the secretary of the board of school visitors or town school committee or board of education of the town or district in which such school is located; and no teacher shall be entitled to receive any pay unless such register shall have been kept and certified during the time for which any payment may be made.^{2 3}

¹ Sec. 2.

² School visitors shall inspect registers twice in each term. Sec. 87.

³ The reasonableness of the punishment administered by a school teacher to a pupil is purely a question of fact. 53 Conn., 481.

A school teacher has a right to require obedience to reasonable rules and a proper submission to his authority, and to inflict punishment for disobedience. *Id.*

In the absence of rules established by the school board or other proper authority, the teacher has a right to make all necessary and proper rules for the regulation of the school. *Id.*

In inflicting corporal punishment the teacher must be governed, as to the mode and severity of it, by the nature of the offense, and by the age, size, and physical condition of the pupil. Where a boy has been habitually refractory and disobedient, the teacher, in punishing him for a particular offense, may take into consideration his habitual disobedience. *Id.*

And it is not necessary that he should inform the pupil at the time that he is punishing him for his past as well as present misconduct. *Id.*

CHAPTER XIII

Support of Public Schools¹

[GEN. STAT., TITLE XXXV, CHAPTER CXLII, PAGE 484]

SECTION

- 177. Enumeration of children.
- 178. Enumeration of children in county homes.
- 179. Form of return of enumeration.
- 180. Penalty for refusal to give age of child.
- 181. Correction of returns; certificate to Comptroller.
- 182. Distribution of income of school fund and State appropriation.
- 183. Interest of school fund to be covered into treasury.
- 184. Support of schools.
- 185. Deduction where schools not kept according to law.
- 186. Misapplication of school moneys.
- 187. Town deposit fund.
- 188. School society and district funds.
- 189. Meeting of visitors and selectmen as joint board.
- 190. School year.
- 191. Annual statement of estimates to town meeting.
- 192. Time of payment of teachers, mode of payment to teachers, etc.

SECTION

- 193. Payment of teachers and certificate of school visitors.
- 194. Tax in city school districts.
- 195. Neglect to lay town school tax.
- 196. Temporary union of small school districts.
- 197. Small schools, discontinuance of.
- 198. Transportation of children.
- 199. Expenses of transportation.
- 200. Extra expenses incurred by districts.
- 201. Report of enumeration, etc., must be made before district is entitled to money.
- 202. Apportionment to districts formed from parts of two or more towns.
- 203. Joint districts, expenses of.
- 204. Forfeitures may be remitted by State board.
- 205. Fraudulent certificate by school visitors.
- 206. School expenses for inmates of temporary homes, how provided.
- 207. Auditing and approval of such expenses.

Sec. 177. The committee of each school district,² *G. S. sec. 2224.*
 or if they fail or are unable to do so, the clerk shall, *Enumeration of scholars.*
 in October, 1899, and annually thereafter in October,
 ascertain the name and age of every person over four
 and under sixteen years of age, who shall belong to
 such district on the first Monday of said month, and the
 place, year, and month when such person last attended
 school, together with the names of the parents, guard-
 ians, or employers of such person, and return the same
 to the school visitors of the town to which such district
 belongs,³ on or before the twentieth day of October. *1899, ch. xxvi, sec. 1.*

¹ See for Towns under Consolidated System, secs. 168, 169. Districts formed from societies. Sec. 58.

² For committee of districts formed from school societies. Sec. 54. Town committee. Sec. 152. District committee. Sec. 171.

³ If districts formed from parts of two or more towns. Sec. 171.

And in making such enumeration, children temporarily residing¹ in one district, but having parents or guardians residing in another, shall be enumerated only as belonging to the latter district.

By a school
visitor.

1889, ch. xxvi,
sec. 1.

1897, ch. 1.

1895, ch. cccxii,
sec. 1.
Enumeration of
children in
county homes.

But if such return is not made on or before said day, one of the school visitors or a person duly appointed by said board of school visitors shall make a complete enumeration before the first day of November next following, and return it to said school visitors,² and shall receive therefor five cents for each child so enumerated.

Sec. 178. The children legally committed to county homes shall be enumerated in the districts in which said county homes are located, as provided in section 177, but the enumerator shall make a separate list of the children in the county home, and certify said list to the school visitors of the town as provided in section 179.

G. S. sec. 2225.
Form of return
of enumeration.

Sec. 179. Such return shall be signed by the person making it, and sworn to, substantially, according to the following form :

I hereby certify that I have carefully enumerated, according to law, all persons between the ages of four and sixteen years, within the _____ school district, and find that on the first Monday of October, A. D. —, there were of such persons, residing in and belonging to said district, the number of _____. A. B.

1889, ch. xxvi,
sec. 2.

On this _____ day of _____ A. D. —, personally appeared the above named A. B. and made oath to the truth of the above return by him subscribed before me. _____, *Justice of the Peace.*

¹ Sec. 2118, Gen. Stat., provides that the public schools of the districts "shall be open to all children over four years of age in the respective districts;" sec. 2224, provides for the enumeration of all children of school age "who shall belong to such district;" and sec. 2227 for a return by the enumerators of children "residing within the school districts." Under these sections it is not necessary that a child should be domiciled in the district, but enough if it is residing in the district in the ordinary sense of that term.

A child of school age, whose parents resided in another State, but who had lived for several years, and expected to continue to live, in a family of a domiciled resident of the district, was entitled to the privileges of the district school. *Yale vs. West Middle School District.* 59 Conn., 489.

² Sec. 90.

Sec. 180. Any person having control of a child between four and sixteen years of age, who shall willfully refuse to give to the school committee or other person employed to make the enumeration required by this chapter, the name and age of such child and such information concerning the school attendance of such child as said chapter requires, shall be fined three dollars. G. S. sec. 2226. Penalty for refusal to give age of child.

Sec. 181. The school visitors of the town shall examine and correct the returns made to them, so that no person shall be enumerated twice in different districts or be improperly returned, and lodge them as corrected with the town treasurer. They shall also transmit to the Comptroller,¹ on or before the fifth day of December, annually, a certificate in which the number of persons shall be inserted in words at full length, which shall be sworn to, substantially, according to the following form: G. S. sec. 2227. Correction of returns. 1889, ch. xxvi, sec. 3. Certificate to Comptroller.

We, the school visitors of the town of ———, certify, that from the returns made to us under oath, as by law provided, we find that on the first Monday of October, A. D. ———, there were residing within the school districts belonging to said town, the number of ——— persons between four and sixteen years of age; and from the best information we can obtain, we truly believe that said number is correct. Form of certificate. 1889, ch. xxvi, sec. 2.

} *School Visitors.*

On this ——— day of ———, A. D. ———, personally appeared the above named school visitors, and made oath to the truth of the above certificate, by them subscribed; before me, ——— C. D.

Sec. 182. The income of the school fund, which, after deducting all expenses attending its management, shall remain in the treasury on the twenty-eighth day of February in each year, and also one dollar and fifty cents for every person between four and sixteen years of age belonging to any school district, as ascertained from the last returns of the school visitors, shall annually, as soon as may be after said day, be divided and distributed by the Comptroller among the several towns, in proportion G. S. sec. 2228. Distribution of income of school fund and State appropriation.

¹ Sec. 90.

to the number of persons in each between the ages of four and sixteen years, as ascertained from said returns : and he shall transmit the amount distributed to each town to its treasurer, on the application of its school visitors or of its school committee, if such town constitute but one school district ; but no such money shall be transmitted to any town until the Comptroller shall have received from its school visitors or committee a certificate, signed by them or their chairman and secretary, and substantially in the following form :¹

Form of certificate to Comptroller.

We, the school visitors of the town of ———, certify that the schools in said town have been kept for the period required by law during the year ending the thirty-first day of August² last, by teachers duly examined and approved, and have been visited according to law ; and that all moneys drawn from the public treasury by said town for said year, appropriated to schooling, have been faithfully applied and expended in paying for teachers' wages, and for no other purpose whatever.

Dated at ——— this ——— day of ——— A. D. ———.

} *School Visitors.*

To the Comptroller.

Interest of the school fund to be transferred to the treasury.

Sec. 183. On the first day of March of each year, the treasurer shall cover the interest of the school fund in the treasury on the last day of February into the civil list funds of the State, and shall notify the Comptroller and commissioner of the school fund, in writing, of the amount of said interest so covered or transferred.

G. S. sec. 222. Support of schools.

Sec. 184. The Comptroller shall draw all orders for the support of common schools at the rate of two dollars and twenty-five cents for each child, and the enumeration last made and perfected, and said orders shall be payable from the civil list funds of the State.

G. S. sec. 220. Deduction where schools not kept according to law.

Sec. 185. When the school in any school district shall not be kept according to law,³ the school visitors of the town to which such district belongs shall, in their

¹ Sec. 90.

² Sec. 190.

³ Sec. 90. A district is not entitled to any State or town money unless schoolhouse and out-buildings are satisfactory to school visitors. Sec. 183.

certificate or certificates to the Comptroller for the year following, state such fact, and also the number of children enumerated in such district; and when application is made for the school moneys payable to such town for said year, he shall deduct from the whole number of children enumerated in such town the number contained in such district; and shall draw an order for such part only of the moneys that would otherwise go to said town, as is proportioned to the number of children in the remaining districts therein.

Sec. 186. If any money appropriated to the use of schools shall be applied by a town or school district to any other purpose, such town or school district shall forfeit the amount thereof to the State; and the Comptroller shall sue for the same in behalf of the State, to be applied, when recovered, to the use of schools. G. S. sec. 2231. Misapplication of school moneys.

Sec. 187. The income of the town deposit fund, belonging to any town, and of any other town fund which is or shall be established or appropriated for the support of public schools in any town, shall be paid annually into the town treasury, for the support of public schools therein. G. S. sec. 2232. Town deposit fund.

Sec. 188. The income of any fund that is or shall be established or appropriated for the support of public schools in any school district or school society existing in any town, shall be paid annually into the treasury of such district or society, for the support of public schools therein; but if such district or society shall at any time cease to exist, then the principal of said fund shall be paid over to the school fund treasurer of the town; the income thereof to be applied for the support of public schools therein, in the manner prescribed in section 157. G. S. sec. 2233. School society and district funds.

Sec. 189. The school visitors and selectmen in each town shall meet as a joint board on the third Tuesday of June in each year, and prepare a statement showing the estimated cost of each and all the public schools in their town, for the next succeeding school year,¹ and shall immediately thereafter notify the committees of the respective school districts of the several amounts so fixed. G. S. sec. 2234. Meeting of visitors and selectmen as joint board. 1893, ch. cxxvi.

¹ Sec 190.

This section shall not apply to towns which have consolidated their school districts.

G. S. sec. 2236.
School year,
1869, ch. xlvii,
sec. 3.

Sec. 190. The school year shall commence on the fifteenth day of July, and end on the fourteenth day of July.

G. S. sec. 2236.
Annual state-
ment of esti-
mates to town
meeting.

Sec. 191. The school visitors and selectmen in each town shall, as a joint board, present at the annual town meeting a written or printed statement of the total cost of each and all of the public schools in such town for the school year next preceding, and an estimate of the cost of such schools for the current school year.¹

Apportionment
to districts.

Said board shall also, on or before the fifteenth day of October in each year, fix the several amounts which in their judgment will be sufficient to pay the wages of teachers (including board), fuel, and the incidental expenses of maintaining the schools in the various districts within the jurisdiction of such town, for the period during the current year, that schools are required by law, or by vote of the town, to be maintained;

Expenses of
school districts
exceeding the
estimate.

And shall notify the respective districts of the several amounts so fixed;

And if any district, by contributing the teacher's board, or any of the incidental expenses of the school, be enabled to continue its school beyond the time required by law, said district shall, subject to the approval of the board of school visitors, be entitled to the whole amount so fixed.

G. S. sec. 2237.
Payments to
districts.

Sec. 192. Whenever any school district shall, at its annual school meeting, neglect to fix the time or period for the payment of its teachers,² they shall be paid at the end of each school month, and at the close of every such month or period for the payment of teachers, and on the certificate of the school visitors or acting visitor or visitors³ that the schools of the district for such month or period have been kept in all respects according to law, the selectmen shall draw an order on the town treasurer in favor of such district for a sum of money sufficient, and no more than sufficient, to pay the expenses incurred by such district for said month or period for the wages

¹ Secs. 38, 152, 191, 192, 193.

² Sec. 114

³ Secs. 87, 185.

of teachers (including board), fuel, and incidental expenses, if the expenses incurred by the district for the above-named purposes, during the school year,¹ do not exceed the amount fixed upon for such district as provided in this chapter. But if such expenses exceed said amount, the joint board of school visitors and selectmen shall meet, on or before the fourteenth day of July in each year, and decide whether or not the expenditure in excess of the amount fixed upon was necessary to maintain the school or schools of the district for the time required by law. If said board shall decide that such additional expense was necessary, the selectmen shall draw an order on the town treasurer for an amount sufficient to pay the same; but if said joint board shall decide that such additional expense was not necessary, the district shall pay it, unless the town otherwise order.²

Expenses exceeding the estimate to be passed upon by board.

1896, ch. lxxv.

Sec. 193. Whenever a district shall vote to pay its teacher or teachers oftener than once each term,³ and for fixed periods of not less than four weeks each, or when, as provided in the preceding section, the salary of teachers shall be payable monthly, it shall be the duty of the school visitors, or acting school visitor or visitors,⁴ at the close of each of the aforesaid periods of school or school months, to give to the selectmen a certificate stating whether or not the school or schools of the district have been kept in all respects according to law during such period.

G. S. sec. 2238.
Payment of teachers and certificate of school visitors.

Sec. 194. No town which includes a city within its limits shall be required to expend for school purposes in any year a greater sum than would be raised by a tax of one mill on its grand list, if said city is organized into one or more school districts, by which a sum has been appropriated for the support of public schools during the year in which such tax would be payable, sufficient with the income derived from other sources to pay the wages of teachers, the cost of fuel, and the incidental expenses of the public schools of said district or districts for at least thirty-six weeks of said year; provided, that said sum shall be paid, without abatement, on or before the first day of March next following the time at which the

G. S. sec. 2239.
Tax in city school districts.

¹ Sec. 190.

² Sec. 200.

³ Sec. 192.

⁴ Sec. 87.

town tax shall have become due, to the several school districts in the town, in proportion to the number of children in each, at the last preceding enumeration, between the ages of four and sixteen years.

G. S. sec. 2240.
Neglect to lay
town school
tax.

Sec. 195. If any town shall neglect or refuse to provide for the support of its schools, according to the provisions of the three preceding sections, it shall forfeit to the State a sum equal to the amount which it was by said provisions required to raise and appropriate.

G. S. sec. 2241.
Temporary
union of small
schools in dif-
ferent districts.

Sec. 196. When the number of scholars in any district for any term of school shall be so small that, in the judgment of the district, the maintenance of a separate school by said district for such term is inexpedient, such district may, for such term, by vote unite its school with the school of an adjoining district, or districts. Such union of schools shall be made only with the approval of the school visitors of the town or towns in which the districts are situated. And if any district shall thus unite its school with that of another district or districts, it shall be as full a compliance with the law, as if it had maintained a separate school for the time required by law. Whenever the school in any district is discontinued on account of the small number of its scholars, the school visitors of the town having jurisdiction over such district shall see that suitable arrangements are made whereby the children of the district may attend some adjoining school.

1889, ch. cciii.
Small schools,
discontinuance
of.

Sec. 197. When the number of scholars in any district for any term of school shall be so small that in the judgment of the school visitors the maintenance of a separate school in said district for such term is inexpedient, said board of school visitors may unite the school of such district with the school of an adjoining district or districts, and when the school of any district shall thus be united with the school of another district or districts, it shall be as full a compliance with the law as if said district had maintained a separate school for the time required by law.

1893, ch. xcvi,
sec. 1.

Sec. 198. Whenever any school shall be discontinued under the provisions of section 196, or section

197, the school visitors may provide transportation for children to and from school. Transportation of children.

Sec. 199. The expenses of transportation, when approved by the board of visitors, shall be paid by the town treasurer, upon the order of the selectmen. 1898, ch. xcvi, sec. 2. Expense of transportation.

Sec. 200. If any district maintains a school of a higher order than is required by law, and thereby incurs increased expense for its school; or if any district shall continue its school for a longer time than is provided for at the expense of the town, according to section 38, or if any district shall expend for teachers' wages or other purposes, a sum which the school visitors and selectmen deem unnecessary and extravagant;¹ the cost of such school, above the sum received by such district from the town, shall be paid by a tax laid by said district. Nothing, however, in this Title is to be construed as forbidding the payment of the additional expenses of continuing any school longer than the time required by law, by voluntary contribution, or by tuition charges. G. S. sec. 221/2. Extra expenses incurred by districts.

Sec. 201. No district shall be entitled to receive any money from the State or town in any year, unless the district committee shall have made, on or before the fifteenth day of September preceding, the report required by section 171. G. S. sec. 221/3. Report of enumeration, etc., must be made before district is entitled to money.

Sec. 202. The income from the school fund and the amount of the annual State appropriation, apportioned to any school district formed from parts of two or more towns,² shall be paid into the treasury of the town having jurisdiction over such district under the provisions of section 113; and the expenses of the school in such district shall be paid by said town, in the same manner and on the same conditions as if said district lay wholly within it; but during September, in each year, the school visitors of said town shall ascertain the cost of maintaining said school for the year ending on the thirty-first day of the preceding August;³ not including, however, in such ascertainment, the amount received by said district from any fund that is or shall be established or granted for the support of public schools in said district; and, having deducted from this amount the sums received by G. S. sec. 221/4. Apportionment to districts formed from parts of two or more towns.

¹ Sec. 192.

² Secs. 90, 113.

³ Sec. 190.

the town for such district during said year from the school fund and State appropriation, shall apportion the remainder of the cost of such school among the towns in which such district lies, in proportion to the number of persons between the ages of four and sixteen years each, as ascertained by the enumeration made in the October preceding, according to the provision of section 177, and shall, before the first Monday in October, present a copy of said apportionment to the selectmen of each of said towns; and the selectmen of the town or towns not having jurisdiction over said district shall cause the sums, thus apportioned to their respective towns, to be paid to the town having jurisdiction over said district.

1889, ch. xxvi,
sec. 2.

1889, ch. cxxxiii.
Joint districts,
expenses of.

Sec. 203. The selectmen of any town schooling children residing in another town and in a district in which no school is maintained, may ascertain the expense of schooling said children and present a bill of said expense to the selectmen of the town in which said children reside. If the town schooling children shall be indebted to the town in which the children reside, under the provisions of section 202, the expense ascertained as provided in this section shall be deducted from the amount of said indebtedness, and only the remainder shall be due to the town in which said children reside.

G. S. sec. 2245.
Forfeitures
may be remitted
by State board.

Sec. 204. In all cases when a school in any district has been or shall be kept during a portion of the school year, but not according to law, or when for any other cause there has been or shall be a forfeiture of moneys accruing from the school fund or annual State appropriation, that would otherwise have been paid to any town or school district, the secretary of the State Board of Education shall, on application from such town or school district, examine into the facts of the case, and decide according to equity, on the right of the applicants to receive the money so forfeited; and if he decides in favor of such right, and so certifies to the Comptroller, the same shall be paid as if no forfeiture had occurred.

G. S. sec. 2246.
Fraudulent cer-
tificate by
school visitors.

Sec. 205. If any school visitor shall fraudulently make or join in making any false certificate, by reason of which money shall be drawn from the treasury of the State, he shall forfeit sixty dollars to the State.

Sec. 206. The necessary extra expense incurred by any town or school district in providing school accommodations and instruction for the inmates of any temporary homes located therein, shall be paid by the county as provided by law.¹

G. S. sec. 3663.
School expenses for inmates of temporary homes, how provided.

Sec. 207. The board of managers of temporary homes in any county shall be the judge of what are necessary extra expenses, under the preceding section, for school accommodations and instruction for inmates of temporary homes located therein, and no such expense shall be allowed or collected of such county unless it shall have been incurred with the approval of such board of managers, nor until the account of the same shall have been audited and approved by such board.

G. S. sec. 3664.
Auditing and approval of such expenses.

CHAPTER XIV

Sanitary Provisions and Ventilation

SECTION

208. Schoolhouses to be kept clean and wholesome.
209. Ventilation.

SECTION

210. When found in unsatisfactory state.
211. Penalty.
212. Definition.

Sec. 208. Every schoolhouse shall be kept in a clean state and free from effluvia arising from any drain, privy, or other nuisance, and shall be provided with a sufficient number of proper water-closets, earth-closets, or privies for the reasonable use of the pupils attending such schoolhouse.

1893, ch. cclxy, sec. 1.
Schoolhouses to be kept clean and wholesome.

Sec. 209. Every schoolhouse shall be ventilated in such a manner that the air shall not be injurious to the health of the persons present therein.

1893, ch. cclxy, sec. 2.
Ventilation.

¹ "To provide for the expenses of the temporary homes in excess of the sum received under section 3657, said board shall present annually to the county representatives and resident senators of such county an estimate of the expense of such homes for the succeeding year, and said representatives and senators may, and in case sufficient funds are not already in the treasury for such maintenance, shall at their biennial meeting, or in years in which no biennial meeting is held, at any special meeting duly called in such year, lay a county tax for the maintenance of such home or homes in their county." *G. S., sec. 3662.*

1893, ch. cclxv,
sec. 3.
When found in
unsatisfactory
state.

Sec. 210. Whenever it shall be found by the State Board of Education or by the board of school visitors or school committee of the town or district in which any schoolhouse is located, that further or different sanitary provisions or means of lighting or ventilating are required in any schoolhouse, and that the same can be provided without unreasonable expense, either of said boards or committees may recommend to the person or authority in charge of or controlling such schoolhouse, such changes in, or other and further means of ventilating, lighting, or sanitary provisions for such schoolhouse as they may deem necessary. In case such changes so recommended be not made substantially as recommended within two weeks of the date of service thereof, such board or committee may make complaint to the board of health, health committee, or health officer of the community in which such schoolhouse is situated, and said board of health, health officer, or health committee, after notice to and hearing of all the parties interested, shall order such changes in, or such other and further provisions made in the lighting, ventilating, or sanitary provisions of such schoolhouse as they may deem necessary and proper.

1893, ch. cclxv,
sec. 4.
Penalty.

Sec. 211. Any person violating any provision of the preceding sections shall be punished in the manner provided in section 2609 of the General Statutes.

1893, ch. cclxv,
sec. 5.
Definition.

Sec. 212. The word schoolhouse shall be held to mean any building or premises in which instruction is afforded to not less than ten pupils at one time.

CHAPTER XV

Reformation and Care of Children

[GEN. STAT., TITLE LXVII, CHAPTER CCXXV, PAGE 800]

This chapter consists of a statement of the substance of the General Statutes of 1888 and subsequent Public Acts relating to the reformation and care of children. Reference to the Sections and Acts here summarized will be found in the side notes.

SECTION

213. Connecticut School for Boys.

214. Connecticut Industrial School for Girls.

SECTION

215. Temporary Homes.

216. Deaf, Dumb, and Blind.

217. Imbecile Children.

THE CONNECTICUT SCHOOL FOR BOYS

Sec. 213. Any boy under sixteen years of age guilty of any crime or misdemeanor punishable with a fine or imprisonment, other than imprisonment for life, and any boy who is destitute of a suitable home, and is being brought up to lead an idle and vicious life, or who is incorrigible and disobeys his parents or guardian, or who resorts to immoral places or practices, or neglects or refuses to perform labor suitable to his years and condition or to attend school, may be committed to the Connecticut School for Boys, by a judge of a criminal or police court or by a justice of the peace, on complaint of any informing officer or of any person having knowledge of the case.

G. S. sec. 3623, et seq. 3659.
Public Acts
1893, chs. xcii
and cxxii.
Public Acts,
1895, ch. lxxi.
Conn. Law Re-
ports, vol. 51,
page 472.

THE CONNECTICUT INDUSTRIAL SCHOOL FOR GIRLS

Sec. 214. Any girl between the ages of eight and sixteen years who has committed an offense within the final jurisdiction of a justice of the peace, or who lives idly and mis-spends her time, or who wanders about the streets and public places, having no lawful occupation, and not attending school, or who leads a vagrant and vicious life, or is in manifest danger of falling into habits of vice, may be committed to the Connecticut Industrial School for Girls by the judge of a court of probate, a judge of a police court, or a justice of the peace, on complaint of her parent, or a selectman or grand juror, or other informing officer of the town where she is found.

G. S. sec. 1740, 2109, 2110, 2117, 3641, 3642, 3659.
Public Acts 1893,
ch. cxxii.
Public Acts 1895,
ch. lxxi.

TEMPORARY HOMES¹

*G. S. sec. 3655,
et seq.*

Public Acts 1889,
ch. xxviii.
Public Acts 1893,
chs. xxviii,
cxxii, cxxlviii,
cclv.
Public Acts 1895,
chs. lxxi, cxxxi,
ccxxviii, ccxxiii,
ccxxviii,
ccxxviii,
Public Acts 1897,
ch. cxx.

Sec. 215. Children under eighteen years of age who are waifs, strays, or are in charge of overseers of the poor, or whose parents are prisoners, drunkards, or paupers, or have been committed to hospitals, almshouses, or workhouses, and children under said age who are deserted, neglected, or cruelly treated, may be placed in the temporary homes by selectmen. And such children between the ages of four and eighteen years, may be committed to said homes by a court of probate, a judge of a city or police borough or town court, on petition or information of a parent, a selectman, or any informing officer, or of the Connecticut Humane Society, or the State Board of Charities. Children less than four may be placed in temporary homes by overseers of the poor if the management consents to receive them.

DEAF AND DUMB AND BLIND

Sec. 216. [Provision is made by special acts for the education of indigent deaf-mutes in the American asylum at Hartford, and in the Whipple home school for the education of deaf-mutes, in Groton. Persons desiring the benefit of this provision must make application to the Governor of the State. (Special Acts, 1837, page 26; 1874, page 260.)

Provision is also made by law for the education of blind children.

See chapter clvi of the Public Acts of 1893.

The Board of Education of the Blind has charge of this provision.]

IMBECILE CHILDREN

Sec. 217. Indigent imbecile children may be committed to the school at Lakeville, under Section 489 of the General Statutes.

¹ See sections 13-15.

CHAPTER XVI

Public Libraries

[GEN. STAT., TITLE V, CHAPTER XXIII, PAGE 84]

SECTION	SECTION
218. Connecticut Public Library Committee.	233. Directors of such libraries and reading-rooms.
219. Allowance for incidental expenses.	234. Powers and duties of directors.
220. Public Library Committee to give advice.	235. Libraries and reading-rooms established under section 233 to be free.
221. Appropriation for town libraries.	236. Annual report to be made by directors.
222. How paid.	237. City councils may impose penalties for injuries to libraries or failure to return books.
223. No discrimination on account of sex.	238. Donations for such libraries may be held by the directors.
224. Reports by libraries.	239. Towns and boroughs may lay a tax for free public libraries and reading-rooms.
225. Expenditures by Connecticut Public Library Committee.	240. No compensation to directors.
226. Establishment of free libraries by towns.	241. Session laws to be sent to each free public library.
227. Appropriations by towns, etc., for that purpose.	242. Malicious injury to books, etc., of a public library.
228. Bequests and donations.	
229. Board of directors.	
230. Election of directors.	
231. Directors receive no pay.	
232. City councils may establish and maintain public libraries and reading-rooms.	

Sec. 218. The State Board of Education shall annually appoint five persons who shall be known as the Connecticut Public Library Committee.

Sec. 219. No member of said library committee shall receive any compensation for his services as such member, but the committee may expend a sum not exceeding five hundred dollars annually for clerical assistance and incidental and necessary expenses incurred in the discharge of its duties.

Sec. 220. The librarian or director of any public library and the teachers of any public school may ask said committee for advice and assistance in regard to the selection and purchase of books, the cataloguing of books and any other matters pertaining to the maintenance or administration of the library, and the committee shall give advice and assistance in regard to said matters so far as it shall find it practicable to do so. The committee shall biennially make a report of its doings to the General Assembly.

1898, ch. clixviii, sec. 7.
Connecticut Public Library Committee.

1898, ch. clixviii, sec. 8.
Allowance for incidental expenses.
1895, ch. xxiv.

1898, ch. clixviii, sec. 9.
Public Library Committee to give advice.

Report.

1893, ch.
clxxviii, sec. 10.
Appropriation
for town
libraries.

Sec. 221. If any town having no free public library shall establish a free public library and shall provide for the care, custody, and distribution of books and for the future maintenance and increase of such library in a manner satisfactory to said library committee, said committee is hereby authorized to expend for books to be selected by the said committee a sum not to exceed the amount expended by the said town for the establishment of such library and not to exceed two hundred dollars.

1893, ch.
clxxviii, sec. 11.
How paid.

Sec. 222. The Treasurer of the State shall pay the bills incurred under this act upon the order of the secretary of the State Board of Education. Said board shall keep an account of all money expended under this act, and the Comptroller shall annually audit said account.

1893, ch.
clxxviii, sec. 12.
No discrimination
on account
of sex.

Sec. 223. No person shall be ineligible by reason of sex to serve on the board of directors of any public library or on the Connecticut Public Library Committee.

1895, ch.
cclxxxiv, sec. 1.
Reports by
libraries.

Sec. 224. The libraries established under the provisions of chapter clxxviii of the public acts of 1893, and any free public library receiving a State appropriation, shall annually make a report to the Connecticut Public Library Committee.

1895, ch.
cclxxxiv, sec. 2.
Expenditures
by Connecticut
Public Library
Committee.

Sec. 225. The Connecticut Public Library Committee is authorized to expend annually for any such library a sum not to exceed the amount annually appropriated and expended by the town, or in the case of a town whose grand list does not exceed six hundred thousand dollars, the amount annually appropriated and expended from any source, for the increase of said library, and not to exceed one hundred dollars, the said sum to be expended for books selected by said committee.

1893, ch.
clxxviii, sec. 1.
Establishment
of free libraries
by towns, etc.

Sec. 226. Any town, borough, or city may establish a public library, the use of which, under proper regulations, shall be free to its inhabitants. Any town, borough, or city may expend such sum of money as may be necessary to provide and furnish suitable rooms or a suitable building for the library so established or for a previously existing public library, the use of which is free to its inhabitants.

Sec. 227. Any town, borough, or city may annually expend such sum of money as shall be necessary for the proper maintenance and increase of a public library within its limits whose use is free to its inhabitants. Any town shall have power at any meeting, duly called for the purpose, to fix by a proper by-law the amount which shall be annually expended for the public library therein. The treasurer of such town shall thereafter annually pay upon the order of the officer designated by the directors or trustees managing its public library the bills incurred for the maintenance and increase of said library, not exceeding in the aggregate the sum specified in said by-law. The town clerk may deposit in a public library within his town any books other than records placed by law or otherwise in his custody.

1893, ch. cixxviii, sec. 2. Appropriations by towns, etc., for that purpose.

Deposit by town clerk

Sec. 228. Any town, borough, or city may receive, hold, and manage any devise, bequest, or donation for the establishment, increase, or maintenance of a public library within its limits.

1893, ch. cixxviii, sec. 3. Bequests and donations.

Sec. 229. In the absence of any other lawful provision for the management of a public library in any town or borough, the said town or borough shall elect a board of directors who shall manage said public library. Said board may, from time to time, make by-laws not inconsistent with the laws of this State for its own government, and may adopt rules controlling the use of the library and the administration of its affairs. Said board shall have the exclusive right to expend according to its best judgment all money appropriated by the town or borough for the library, and shall have control of the grounds, buildings, and rooms used for the purposes of the library.

1893, ch. cixxviii, sec. 4. Board of directors.

Sec. 230. The first election of directors may take place at any meeting of the town or borough called for that purpose. It shall first be determined by a by-law of the town to be adopted at this meeting what the number of directors constituting said board shall be, such number to be in all cases one divisible by three. One-third of this number shall then be elected to hold office until the next annual meeting, one-third until the second annual meeting, and the remaining one-third until the

1893, ch. cixxviii, sec. 5. Election of directors.

third annual meeting thereafter. At each annual meeting of said town or borough, one-third of the directors shall be elected by ballot to hold office for three years.

1893, ch.
cixxviii, sec. 6.
Directors re-
ceive no pay.

Sec. 231. No director of a public library elected as above provided shall receive compensation for any services rendered as director.

G. S. sec. 145.
City councils
may establish
and maintain
public libraries
and reading-
rooms.

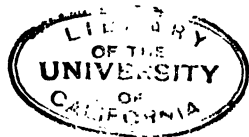
Sec. 232. The city council of any city shall have power to establish and maintain a public library and reading-room, together with such kindred apartments and facilities as said council shall approve, for the use and benefit of such city, and may levy a tax not to exceed one mill and one-half of a mill on the dollar annually on all the taxable property of the city; such tax to be levied and collected in the same manner as the other taxes of said city, and to be known as the "Library Fund."

G. S. sec. 146.
Directors of
such libraries
and reading-
rooms.

Sec. 233. When any city council shall have decided to establish and maintain a public library and reading-room under the authority granted by the preceding section, the mayor of such city shall, with the approval of said council, appoint a board of nine directors for the same, chosen from the citizens at large, with reference to their fitness for such office; and not more than one member of the city council shall be a member of said board. Said directors shall hold office, one-third for one year, one-third for two years, and one-third for three years, from the first day of July following their appointment, and at their first regular meeting shall cast lots for their respective terms; and annually thereafter the mayor shall, before the first day of July, appoint as before three directors, to take the place of the retiring directors, who shall hold office for three years and until their successors are appointed. The mayor may, with the consent of the city council, remove any director for misconduct or neglect of duty. Vacancies in the board of directors, occasioned by removal, resignation, or otherwise, shall be reported to the city council, and be filled in the same manner as original appointments.

G. S. sec. 147.
Powers and
duties of direct-
ors.

Sec. 234. Said directors shall, immediately after their appointment, meet, and organize by the election of one of their number as president, and by the election of



such other officers as they may deem necessary. They shall make and adopt such by-laws, rules, and regulations, not inconsistent with the laws of the State, for their own guidance and for the government of the library and reading-room as may be expedient. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the library fund, and of the construction of any library building, and of the supervision, care, and custody of the grounds, rooms, or buildings constructed, leased, given, or set apart for that purpose; *provided*, that all moneys collected and received for such purpose shall be placed in the treasury of said city, to the credit of the "Library Fund," and shall be kept separate from other moneys of the city, and shall be drawn upon by the proper officers of said city, upon the properly authenticated vouchers of said directors. Said board shall have power to purchase, lease, or accept grounds; to erect, lease, or occupy an appropriate building or buildings for the use of said library; to appoint a person of suitable learning, ability, and experience as librarian, and all necessary assistants, and fix their compensation; to remove such appointees; and shall in general carry out the spirit and intent of the law, in establishing and maintaining a public library and reading-room, together with such kindred apartments and facilities as said council shall approve.

Sec. 235. Every library and reading-room, established under the authority granted by section 232, shall be forever free to the use of the inhabitants of the city where located, always subject to such reasonable rules and regulations as the board of directors may adopt, in order to render the use of said library and reading-room of the greatest benefit to the greatest number; and said board may exclude from the use of said library and reading-room any and all persons who shall willfully violate such rules. And said board may extend the privileges and use of such library and reading-room to persons residing outside of such city in this State, upon such terms and conditions as said board may from time to time prescribe.

*G. S. sec. 148.
Libraries and
reading-rooms
established
under sec. 232
to be free.*

Sec. 236. The said board of directors shall make, on or before the second Monday in June, an annual report to the city council, stating the condition of their trust on the first day of June of that year, the various sums of money received from the library fund and other sources, and how such moneys have been expended, and for what purposes; the number of books and periodicals on hand; the number added by purchase, gift, or otherwise, during the year; the number lost or missing; the number of visitors attending; the number of books loaned out, and the general character of such books; with such other statistics, information, and suggestions as they may deem of general interest. All such portions of said report as relate to the receipt and expenditure of money, as well as the number of books on hand, books lost or missing, and books purchased, shall be verified by affidavit.

G. S. sec. 150.

City council may impose penalties for injuries to libraries or failure to return books.

Sec. 237. The city council of said city shall have power to pass ordinances imposing suitable penalties for the punishment of persons committing injury upon such library, or the grounds or other property thereof, and for injury to, or failure to return, any book belonging to such library. It shall be the duty of every librarian or board of directors, having charge or control of such library or property, to post up in one or more conspicuous places connected therewith a printed copy of this section. And justices of the peace, or city or police courts, in their respective counties, shall have jurisdiction to hear, try, and determine all prosecutions under this section.

G. S. sec. 151.

Donations for such libraries may be held by the directors.

Sec. 238. Any person desiring to make donations of money, personal property, or real estate for the benefit of such library, shall have the right to vest the title to such donation in the board of directors of such library, to be held and controlled when accepted by such board according to the terms of the deed, gift, devise, or bequest of such property; and as to such property the said board shall be held to be special trustees.

G. S. sec. 152.

Towns and boroughs may lay a tax for free public libraries and reading-rooms.

Sec. 239. When fifty legal voters of any town or borough shall present a petition to the clerk of the town or borough, asking that an annual tax may be levied for the establishment and maintenance of a free public

library and reading-room in such town or borough, and shall specify in their petition the rate of taxation, not to exceed three mills on the dollar, such clerk shall, in the next legal notice of the regular annual election in such town or borough, give notice that at such election every legal voter may vote "for a — mill tax for a free public library and reading-room," or "against a — mill tax for a free public library and reading-room," specifying in such notice the rate of taxation mentioned in said petition ; and if the majority of all the votes cast in such town or borough shall be "for the tax for a free public library and reading-room," the tax specified in such notice shall be levied and collected in the same manner as other general taxes of said town, or borough, and shall be known as the "Library Fund." But such tax may be lessened or increased within the three-mill limit, or made to cease in case the legal voters of any such town or borough shall so determine by major vote at any annual election held therein ; and the corporate authorities of such town or borough shall have and may exercise the same powers relative to free public libraries and reading-rooms as are conferred upon the corporate authorities of cities.

Sec. 240. No director of any free public library and reading-room, established under the provisions of this chapter in any city, town, or borough, shall receive any compensation for any services rendered as such director.

G. S. sec. 154.
No compensation to directors.

Sec. 241. The Secretary of the State is authorized to send a copy of the laws passed by the General Assembly at each session, together with the legislative documents and journals, to each free library which shall desire them.

G. S. sec. 165.
Session laws to each free public library.

Sec. 242. Every person who shall willfully write upon, injure, or destroy any book, plate, picture, engraving or statue, belonging to any library not exclusively owned by himself, shall be fined not less than five, nor more than five hundred dollars.

G. S. sec. 1423.
Malicious injury to books, etc., of a public library.

Every person, who shall willfully detain any book, paper, magazine, pamphlet, manuscript, or other property belonging to any town, city, law, university, college, school, or other public or incorporated library for

1869, ch. clv.

thirty days after notice in writing from the librarian of such library, sent by mail or otherwise to the last known or registered place of residence of such person, after the expiration of the time, which by the by-laws, rules, or regulations of such library, such book, paper, magazine, pamphlet, manuscript, or other property may be kept, shall be fined not less than one nor more than one hundred dollars. The notice herein required shall bear upon its face a copy of this act.

CHAPTER XVII

School District Taxes

[GEN. STAT., TITLE LXXVI, CHAPTER CXXLIII, PAGE 869]

SECTION

- 243. To be levied on what.
- 244. Certain town real estate not exempt from school district taxes, when.
- 245. Assessment of real estate in two districts.
- 246. Board of relief, how constituted; deduction for indebtedness.
- 247. Assessment of real estate omitted from grand list.
- 248. Of land sold since completion of grand list.
- 249. Mode of assessment.
- 250. Taxes to be laid on preceding or succeeding year.

SECTION

- 251. Correction of clerical error.
- 252. Collectors to give bonds.
- 253. Tax book to be open to public inspection.
- 254. Interest on unpaid taxes.
- 255. Taxes when due.
- 256. Additional remedy for collection of taxes.
- 257. Form of tax warrant.
- 258. Exemption of honorably discharged soldiers, sailors, etc., from taxation by boards of relief; and pensioners; board of relief to file list of exempts with town clerks.

G. S. sec. 3908.
To be levied on
what.

Sec. 243. All taxes imposed by any school district shall be levied on the real estate situated therein, and the ratable personal property and polls of those persons who belonged to said district at the time of laying such tax, which polls shall be set in the list at one hundred dollars each, and upon any manufacturing or mechanical business, subject to taxation, which is located or carried on in said district, not including therein the value of any real estate situated out of the district, and also upon any mercantile business carried on in said district by any person or persons who do not reside in the town in which said school district is situated; and

neither the business so taxed, nor any real estate in said district, shall be taxed in any other district.¹

Sec. 244. When any school district, having within its boundaries any town almshouse and farm, shall impose any tax for the purpose of building or repairing its schoolhouse, said real estate owned by said town shall not be exempt from such taxation. G. S. sec. 3909. Certain town real estate not exempt from school district taxes, when.

Sec. 245. When real estate in any district is so entered in the list of the town in common with other estate situated out of said district, that there is no distinct and separate value put by the assessors upon the part lying in said district, one or more of the assessors of the town in which said property is situated shall, on application of said district, value said part of said estate, and return a list of the same to the clerk of said district; and notice of such valuation and of the meeting of the assessors and selectmen hereafter mentioned, shall be given by the district committee, in the same way as a notice for district meetings.² G. S. sec. 3910. Assessment of real estate in two districts.

Sec. 246. At the end of ten days after such return of said list, said assessors and selectmen shall meet in such place as said committee shall designate in such notice, and shall have the same power, in relation to such list, that the board of relief has in relation to town lists; and no deduction or abatement shall be made on account of the indebtedness of the owner of any real estate so taxed, unless both the debtor and the creditor belong to said district, and the debt is secured by a mortgage of real estate situated therein; and such list, when perfected by said assessors and selectmen, shall be lodged with the town clerk; and said valuation shall be the rule of taxation for said estate, by said district, for the year ensuing; G. S. sec. 3911. Board of relief, how constituted. Deductions for indebtedness.

¹ Real estate in any district is taxable there, whether the owner belongs there or not. 11 Conn., 486, 487; 4 Day, 382.—That votes imposing school taxes, if inartificially drawn, will be favorably construed, see 15 Conn., 332.

² That the doings of assessors, when called out under this section, will be favorably construed, see 15 Conn., 455, 456.

"Buildings or portions of buildings exclusively occupied as colleges, academies, churches, or public schoolhouses or infirmaries" are exempt. Gen Stat., p. 849, sec. 3820.

and said assessors shall be paid by said district a reasonable compensation for their services.

G. S. sec. 3912.
Assessment of
real estate omit-
ted from grand
list.

Sec. 247. When any real estate in any district has not been put into the town list, or, when any polls in any district, liable to taxation, have not been entered in said list, one or more of the assessors of the town in which such omission has occurred, on application of said district, shall value such real estate, and make a list of said polls, and add such property and polls to the list of the district.

G. S. sec. 3913.
Of land sold
since comple-
tion of grand
list.

Sec. 248. When a district lays a tax on the town list last completed, and the title to any real estate has been in any way changed between the first day of October next preceding, and the time of laying said tax, one or more of the assessors of the town in which such change of property has occurred on application of such district, shall value said real estate in the name of the person owning it at the time of laying said tax, and deduct the same from the list of the person in whose name it stood on the town list.

G. S. sec. 3914.
Mode of assess-
ment.

Sec. 249. The assessors, in performing the duties mentioned in the two preceding sections, shall proceed in the manner prescribed for assessing real estate in section 245.

G. S. sec. 3867.
Taxes to be
laid on list of
preceding or
succeeding
year.

Sec. 250. Town, society, school district, and highway taxes shall be laid either on the assessment list of the town last before or on that next thereafter completed, and be payable within one year after they are laid.

G. S. sec. 3869.
Correction of
clerical error.

Sec. 251. Any clerical omission or mistake in the assessment of taxes may be at any time corrected according to the fact, by the assessors or board of relief, and the tax shall be levied and collected according to such corrected assessment.

G. S. sec. 3877.
Collectors to
give bonds.

Sec. 252. Every collector of taxes shall, before he receives any such warrant, give to the community of which he is collector a bond with surety to the acceptance of the selectmen, or committee, for the faithful discharge of his duties.

G. S. sec. 3878.
Tax-books open
to public
inspection.

Sec. 253. The tax-book of any collector of town, city, borough, or school district taxes shall be at all reasonable times open to the inspection of any taxpayer, and

to any auditor of public accounts of such town, city, borough, or school district. And any collector who shall, after request, refuse to exhibit his tax-book, as aforesaid, shall forfeit the sum of one hundred dollars to the use of the treasury of such town, city, borough, or school district, and such penalty may be recovered by an action on such collector's official bond.

Sec. 254. . . . If any tax laid by any town, city, borough, or school district, except the town and city of New Haven, and any school district within the limits of said town of New Haven, shall remain unpaid for one month, or in said town or city of New Haven, or in any school district within the limits of said town of New Haven for two months, after the same shall become due and payable, interest at the rate of nine per cent. shall be charged from the time when such tax became due until the same shall be paid, which shall be collectible as a part of said tax; and said collectors shall keep an accurate and separate account of all such additions, and the time when the same may be received, and shall pay over the same as a part of said tax.

G. S. sec. 388C.
Interest on unpaid taxes.

Sec. 255. Taxes shall be deemed to become due on the first day on which the collector thereof, according to the terms of the notice given by him, is ready to receive them.

G. S. sec. 3383.
1887, ch. cx.
Taxes when due.

Sec. 256. All taxes, properly assessed, shall become a debt due from the person, persons, or corporation, against whom they are respectively assessed, to the city, town, district, or community in whose favor they are assessed, and may be in addition to the other remedies provided by law, recovered by any proper complaint or proceeding at law, in the name of the community in whose favor they are assessed.

G. S. sec. 3901.
Additional remedy for collection of taxes.

Sec. 257. Warrants for the collection of taxes may be in the following form :

G. S. sec. 3907.
Form of tax warrants.

To A. B., collector of taxes of the [*here insert the name of the community laying the tax*], in the county of ———, greeting :

By authority of the State of Connecticut, you are hereby commanded forthwith to collect of each person named in the annexed list, his proportion of the same, as

therein stated, being a tax laid by [*name of community*], on the —— day of ——, A. D. 18—. And you are to pay the amount of said tax, less abatements, and less taxes, the lien for which has been continued by certificate, to the treasurer of said [*name of community*], on or before the —— day of ——, A. D. 18—. And if any person fails to pay his proportion of said tax, upon demand, you are to levy upon his goods and chattels, and dispose of the same as the law directs; and after satisfying said tax and the lawful charges, return the overplus, if any, to him; and if such goods and chattels do not come to your knowledge, you are to levy upon his real estate, and sell enough thereof to pay his tax and the costs of levy, and give to the purchaser a deed thereof, or take the body of said person and him commit unto the keeper of the jail of said county within the prison, who is hereby commanded to receive and safely keep him until he shall pay said sum, together with your fees, or be discharged in due course of law.

Dated at ——, this —— day of ——, A. D. 18—.

A. B., *Justice of the Peace.*

1895, ch. cc.
Exemption of
honorably dis-
charged sol-
diers, sailors,
etc., from taxa-
tion by boards
of relief.

And of pen-
sioners.

Sec. 258. The board of relief for each town shall exempt from taxation, to the amount of one thousand dollars, the property of every resident of this State who has served in the army, navy, marine corps, or revenue marine service of the United States in time of war and received an honorable discharge therefrom, or, lacking such amount of property in his own name, so much of the property of the wife of any such person as shall be necessary to equal said amount; and property to the same amount of the resident widow; or, if there be no widow, of the widowed mother of every person having died during his term of service, or after receiving honorable discharge from said service; and of resident pensioned widows, fathers, and mothers of soldiers, sailors, and marines, who served in the army, navy, or marine corps, or revenue marine service of the United States. Such exemption shall first be made in the town in which the person entitled thereto resides, and any person asking such exemption in any other town shall make oath before, or forward his or her affidavit to, the board of

relief of such town that such exemption, if allowed, will not, together with any other exemptions which may have been granted under the provisions of this section, exceed the amount of one thousand dollars. The board of relief of each town shall annually make a certified list of all persons, resident in such town, who are found to be entitled to exemption under the provisions of this section, which shall be filed in the town clerk's office, and shall be *prima facie* evidence that such persons are entitled to such exemption so long as they reside in said town ; but such board may at any time require any such person to appear before it for the purpose of furnishing additional evidence.

Board of relief
to file list of ex-
empts with
town clerk.

CHAPTER XVIII

General Provisions

SECTION

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- 274. Minors not to loiter or play in pool or billiard rooms ; penalty.
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- 279. Interrupting or disturbing schools or meetings.
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- 281. Obscene literature, etc.
- 282. Books and periodicals devoted wholly to criminal news.
- 283. Public buildings to be provided with safe exits.
- 284. Barbed wire fences.
- 285. Penalty.

ARBOR DAY

Sec 259. The Governor shall annually, in the spring, designate by official proclamation, an arbor and bird day, to be observed in the schools and for economic tree-planting.

G. S. sec. 1768.
Arbor Day.
1899, ch. 14.

BALLOTS .

1899, ch. ccvii,
sec. 2.
School officers
on each ballot.

Sec. 260. Votes cast for representatives, justices of the peace, town, city, borough, and school officers, or so many thereof as shall be voted for at one and the same election, shall be on one ballot, which ballot shall be six inches long by five and one-half inches wide.

1899, ch. ccvii,
sec. 3.
Ballots in any
envelope.

Sec. 261. Each elector may place in the envelope received by him . . . one ballot for representative or representatives, as the case may be, justices of the peace, town, city, borough, and school officers, or so many thereof as shall be voted for at one and the same election, and one vote for or against any educational purpose under the special laws of this State.

WOMEN

G. S. sec. §101.
Women may be
school officers.

1897, ch. cxxxvi.

Sec. 262. No person shall be deemed ineligible to serve as a member of any board of education, board of school visitors, school committee, or district committee, or disqualified from holding such office by reason of sex.

1893, ch. cclxvi,
sec. 1.
Women may
vote for school
officers.

Sec. 263. Every woman who shall have attained the age of twenty-one years, who shall be a citizen of this State, or of the United States, and who shall have resided in the State one year, and in the town for six months, and can read the English language, shall have the right to vote at any meeting held for the purpose of choosing any officer of schools or for any educational purpose under the general or special laws of this State.

1897, ch. cxiv,
sec. 1.
Names of
women desiring
to be made
voters to be
published.

Sec. 264. Every woman who is entitled to vote under any of the special or general laws of this State must first have her name published on the list of voters "to be made" and qualify before the proper board the same as is required, by law, of men.

1893, ch. cclxvi,
sec. 4.
Separate voting
lists.

Sec. 265. Whenever, in any school district, registry lists shall be used by those voting in school district meetings, it shall be the duty of the registrars of voters of the town in which such districts are situated to prepare separate lists of the names of those women residing in such school districts, or the voting districts of any such school districts, that have been registered by the town clerk under the provisions of this act.

Sec. 266. At all elections at which women are by law entitled to vote, there shall be provided separate ballots containing, in addition to the name of the party issuing the same, only the names of candidates and offices for which women are entitled to vote, and there shall be provided at such elections a separate ballot-box distinctly marked "for women's ballots," in which shall be deposited all ballots cast by women.

1899, ch. ccvii,
sec. 5.
Women's
ballots.

Separate
ballot boxes.

PUBLIC BUILDINGS

Sec. 267. In the construction of all statutes of this State, the term "public buildings" shall include . . any college, academy, schoolhouse, or other building generally used for literary instruction.

G. S. sec. 1.
Public build-
ings.

WARNINGS

Sec. 268. The warning of every town meeting, annual or special, and of every meeting of a city, borough, school society, school district,¹ or other public community, or of an ecclesiastical society, or of proprietors of common fields, shall specify the objects for which such meeting is to be held. . . .²

G. S. sec. 33.
Warnings.

MODERATOR

Sec. 269. . . . All towns when lawfully assembled for any other purpose than the election of town officers, and all societies and other communities, when lawfully assembled, shall have power to choose a moderator to preside at said meetings, unless it be otherwise specially provided by law ; and all questions arising in such meetings shall be decided by a major vote of the qualified voters present and voting, or, when there shall be an equal vote, by the moderator.

G. S. sec. 35
Moderator.

The vote.

¹ Sec. 116.

² The objects must be intelligently stated. 13 Conn., 234.— The general clause "and to do any other proper business" does not justify passing new by-laws. 5 Conn., 396; 8 Conn., 253; 37, 398.— Record of a meeting as "duly warned" *prima facie* evidence of such fact. 25 Conn., 563.

G.S. sec. 52.
Power of mod-
erator to sup-
press disorder.

Sec. 270. The moderator of any town meeting, annual or special, and of any meeting of any society or other community lawfully assembled, may, when any disorder arises in the meeting, and the offender shall refuse to submit to his lawful authority, order any proper officer to take him into custody, and, if necessary, to remove him out of such meeting until he shall conform to order, or, if need be, until such meeting shall be closed, and thereupon such officer shall have power to command all necessary assistance, and any person refusing to assist when commanded shall be liable to the same penalties as for refusing to assist sheriffs and constables in the execution of their offices; but no person commanded to assist shall be deprived of his right to act in the meeting, nor shall the offender be so deprived any longer than he refuses to conform to order

FLAGS UPON PUBLIC BUILDINGS AND SCHOOLHOUSES.

1895, ch. lxxxiv,
sec. 1.
Unlawful to dis-
play foreign
flag.

Sec. 271. It shall be unlawful to display the flag or emblem of any foreign country upon the outside of any state, county, city, or town building, or public schoolhouse within this State; *provided, however,* that when any foreigner shall become the guest of the United States, or of this State, upon proclamation by the governor, the flag of the country of which such public guest shall be a citizen may be displayed upon public buildings, but not upon public schoolhouses.

1895, ch. lxxxiv,
sec. 2.
Penalty for vio-
lation.

Sec. 272. A violation of this act shall subject the offender to a fine of not less than twenty-five nor more than one hundred dollars.

OFFENSES AGAINST THE PERSON

G. S. sec. 1417.
Unlawful exhibi-
tion and em-
ployment of
child under the
age of 12 years.

Sec. 273. Every person who shall exhibit, use, employ, apprentice, give away, let out, or otherwise dispose of any child under the age of twelve years, in or for the vocation, occupation, service, or purpose of rope or wire walking, dancing, skating, bicycling, or peddling, or as a gymnast, contortionist, rider, or acrobat, in any place whatever, or for or in any obscene, indecent, or immoral purpose, exhibition, or practice, whatsoever; or for or in

any business, exhibition, or vocation, injurious to the health, or dangerous to the life or limb of such child ; or who shall cause, procure, or encourage any such child to engage therein, shall be fined not more than two hundred and fifty dollars, or imprisoned not less than thirty days, nor more than one year, or both. But nothing herein shall prevent the employment of any such child as a singer or musician, in any church or school, or in learning or teaching the science or practice of music.

'MINORS' IN POOL OR BILLIARD ROOMS

Sec. 274. The proprietor or keeper of any public pool or billiard room, who shall permit any minor under the age of sixteen years to loiter in or about such room, or to play any game upon the table or tables therein, shall be fined not more than seven dollars.

G. S. sec. 2563.
Minors not to loiter or play in pool or billiard rooms.

Penalty.

OFFENSES AGAINST PUBLIC PROPERTY

Sec. 275. Every person who shall willfully¹ injure any public building, house of public worship, college, or schoolhouse, or who shall willfully injure or carry away any stove, stovepipe, or furniture, in and belonging to any such building, shall be fined not more than twenty dollars, or imprisoned not more than ninety days, or both.

G. S. sec. 1423.
Injuries to public buildings or furniture.

OFFENSES AGAINST PRIVATE PROPERTY

Sec. 276. Every person who, in the night season, with intent to commit any crime therein, shall break and enter any building or vessel in the possession of another used as a place for the custody of property, or any building used as a place of instruction or of public worship ; or, in the daytime, with like intent, shall break and enter any building or vessel in the possession of another used as a dwelling ; or, in the daytime, with like intent, shall break and enter any building in the possession of another, any person therein being put in fear or dread,

G. S. sec. 1440.
Breaking and entering in the day or night season, with intent to put in fear, etc.

¹ See also Gen. Stat., secs. 3080 and 3092.

² The word willfully means that the injury must have been committed in a spirit of wantonness, or with an evil intent, or guilty purpose. State v. Foote, 71 Conn., 737.

shall be imprisoned in the State prison not more than four years.

G. S. sec. 1441.
Breaking and
entering in the
daytime with
intent to com-
mit crime.

Sec. 277. Every person who, in the daytime, with intent to commit any crime therein, shall break and enter any building or vessel in the possession of another used as a place for the custody of property, or any building used as a place of instruction or of public worship, shall be imprisoned not more than three years.

G. S. sec. 1442.
Penalty.

Sec. 278. Every person who shall attempt to violate any of the provisions of the two preceding sections shall be imprisoned not more than two years.

G. S. sec. 1506.
Interrupting or
disturbing
schools or
meetings.

Sec. 279. Every person who shall willfully interrupt or disturb any school, or any assembly of people met for a lawful purpose, shall be fined not more than seven dollars, or imprisoned not more than thirty days, or both.¹

OFFENSES AGAINST PUBLIC PEACE AND SAFETY

G. S. sec. 1520.
Disturbance of
meetings.

Sec. 280. Every person who shall prevent a lawful meeting of any community from proceeding, in an orderly and peaceable manner, to the appointment of a moderator, or shall abuse him, or a presiding officer of an electors' meeting, or interrupt either in the discharge of his duty, or, after he has commanded silence, shall speak in the meeting without his liberty, except to ask reasonable liberty to speak, shall be fined not more than fifty dollars.

OFFENSES AGAINST MORALITY

G. S. sec. 1537.
Obscene litera-
ture, etc.

Sec. 281. Every person who shall buy, sell, advertise, lend, give, offer, or show, or have in his possession with intent to sell, lend, give, offer, or show any obscene or indecent book, pamphlet, paper, picture, print, drawing, figure, image, or other engraved, printed, or written matter, or any article or instrument of indecent or immoral use or purpose, unless with intent to aid in their suppression, or in enforcing the provisions hereof, or shall design, copy, draw, photograph, print, etch, en-

¹ This section includes singing schools. 26 Conn., 607.—What constitutes a school. 23 Conn., 232.

grave, cut, carve, make, utter, publish, or otherwise prepare, or assist in preparing, anything herein named, shall be fined not more than three hundred dollars, or imprisoned in a jail not more than twelve months, or both.

Sec. 282. Every person who shall sell, lend, give, or offer, or have in his possession with intent to sell, lend, give, or offer, any book, magazine, pamphlet, or paper, devoted wholly, or principally, to the publication of criminal news or pictures, and stories of deeds of bloodshed, lust, or crime, shall be fined not more than fifty dollars, or imprisoned not more than three months, or both.

G. S. sec. 1833.
Books and periodicals devoted wholly to criminal news.

PUBLIC HEALTH AND SAFETY

Sec. 283. In all cities the court of common council, in all boroughs the warden and burgesses, and in all towns and parts of towns not within the limits of any city or borough, the selectmen shall require that all churches, schoolhouses, and all public halls that are used for lectures, amusements, exhibitions, or assemblages of people, shall be provided with ample facilities for safe and speedy entrance and exit in case of necessity, and be arranged so as to promote the comfort and safety of persons visiting them, and be closed till such requisitions are complied with; and any city, borough, or town may make suitable by-laws regarding the same.

G. S. sec. 1823.
Public buildings to be provided with safe exits.

Sec. 284. No barbed wire shall be used in the construction of fences, or retained upon existing fences, connected with or enclosing the grounds of any public school or other public building in this State.

1889, ch. cxliii, sec. 1.
Barbed wire fences.

Sec. 285. Any person who shall violate the provisions of the preceding section shall be fined not more than one hundred dollars.

1889, ch. cxliii, sec. 2.
Penalty.

Special Acts relating to Schools

ANSONIA

Special Acts of 1893, Page 940

Sec. 19. Said city shall be, as said town has been, a consolidated school district; and said city shall be substituted for and take the place of the town of Ansonia in all matters, meetings, duties, powers, obligations, and proceedings required by law of or by the town of Ansonia in all matters concerning education, and shall act instead of said town; and all the powers, obligations, duties, rights, and property of said town of Ansonia, whether as such town or as a consolidated school district, shall, with reference to education, be vested in and belong to said city of Ansonia, which shall be and act to all intents and purposes as such consolidated school district. The election of officers heretofore chosen by the town of Ansonia, a consolidated school district, as school officers known by the name of board of education and being a school committee of said district, is hereby validated and confirmed with their doings, and such officers being the present members of the school committee of said town and district, shall be and constitute the board of education of said city, and such officers shall hold their offices during their respective terms, and until their successors are chosen and qualified. Should any vacancy occur before the expiration of the term of office of any member of the said board, the remaining members of said board may appoint some person to fill such vacancy for the remainder of such term; and the members of said board of education shall be electors of said city. Said board of education shall have all the powers now or hereafter vested in, and shall perform all the duties now or hereafter imposed by law on the school committee and selectmen of towns relative to schools and educational matters, and such board shall have the superintendence, management, and control of all matters concerning education, schools, and school property, and the power of fixing or changing the sites of schoolhouses in said city. The mayor of said city shall assign one or more patrolmen to act as truant officers in enforcing the general statutes in such cases made and provided.

Approved, June 29, 1893.

BRIDGEPORT

Special Acts of 1889, Page 859

Sec. 15. Said city shall be, as said town has been, a consolidated school district; and said city shall be substituted for and take the place of the town of Bridgeport in all matters, meetings, duties, powers, obligations, and proceedings required by law of or by the town of Bridgeport in all matters concerning education, and shall act instead of said town; and all the powers, obligations, duties, rights, and property of said town of Bridgeport, whether as such town or as a consolidated school district, shall, with reference to education, be vested in and belong to said city of Bridgeport, which shall be and act to all intents and purposes as such consolidated school district. The election of officers heretofore chosen by the town of Bridgeport, a consolidated school district, as school officers known by the name of the "board of education," and being a school committee of said district, is hereby validated and confirmed with their doings, and such officers, being the present members of the school committee of said town and district, shall be and constitute the board of education of said city, and such officers shall hold their offices during their respective terms, and until their successors are chosen and qualified. At the meeting of the electors of said city, held on the first Monday

of April, 1889, and annually thereafter, on the same day, there shall be chosen by ballot four members of said board of education for the term of three years from and after the first Monday of May next succeeding their election, and at said election no person shall vote for more than one-half the number of said members to be chosen. Should any vacancy occur before the expiration of the term of office of any member of said board, the remaining members of said board may appoint some person to fill such vacancy for the remainder of such term; and the members of said board of education shall be electors of said city. Said board of education shall have all the powers now or hereafter vested in and shall perform all the duties now or hereafter imposed by law on the school committee and selectmen of towns relative to schools and educational matters, and such board shall have the superintendence, management, and control of all matters concerning education, schools, and school property, and the power of fixing or changing the sites of schoolhouses in said city. The police commissioners of said city shall assign one or more patrolmen to act as truant officers in enforcing the statutes of this state in such cases made and provided.

Special Act of 1893, Page 278

Applies to the school appropriations of Bridgeport.

DERBY

Special Acts of 1893, Page 626

Sec. 28. Said city shall be a consolidated school district; and said city shall be substituted for and take the place of the town of Derby in all meetings, matters, duties, powers, obligations, and proceedings required by law of or by the town of Derby in all matters concerning education, and shall act instead of said town; and all the powers, obligations, duties, rights, and property of the several school districts and said town shall, with reference to education, be vested in and belong to said city, which shall be and act to all intents and purposes as such consolidated school district.

There shall be in said city a board of education consisting of six electors, who shall hold office for the term of four years from the first Monday of January succeeding their election, and until their successors are duly elected and qualified. Each ward shall elect two members of the board of education, and in the second ward one member of said board shall be a resident of the present third school district of said town, and one member of said board shall be a resident of the present sixth school district; in the third ward one member of said board shall be a resident of the present first school district, and one member of said board shall be a resident of the present second school district.

At the city election held on the first Monday of December, 1893, two members of the board of education shall be elected in each ward, but no person shall vote for more than one member of such board. Of the members elected at such election in each ward one shall be elected for three years, and one for one year from the first Monday of January, 1894, the person in each ward having the greatest number of votes shall be elected for the three-year term, and the person in each ward having the next greatest number of votes shall be elected for the one-year term. At the city election held on the first Monday of December, 1894, and biennially thereafter, one member of said board shall be elected from each ward for the term of four years. Vacancies in said board may be filled by the remaining members of said board until the same shall be filled by the voters of the ward in which such vacancy occurs, and in case it is filled by the voters of said ward, it shall only be for the unexpired term. Said board of education shall have all the powers now or hereafter vested in and shall perform all the duties now or hereafter imposed by law on the school committee and selectmen of towns, and the board of school visitors relative to schools and educational matters, and such board shall have the super-

intendence, management, and control of all matters concerning education, schools, and school property in said city.

The police commissioner of said city shall assign one or more policemen to act as truant officers in enforcing the statutes of this state in such cases provided.

The membership of said board shall be divided equally between the two leading political parties, for the time being, and vacancies shall be filled from the same political party in which the vacancy exists.

Said board of education shall, monthly, audit and approve all bills for the ordinary current expenses of its department, and report the same to the city clerk, who shall thereupon certify whether or not the appropriation is sufficient for the payment thereof; and if sufficient he shall draw his order for the same upon the city treasurer in favor of the persons entitled to payment thereof. Said board of education shall submit to the mayor on or before the first Monday of October in each year an estimate of the amount required for the support and maintenance of the public schools in said city for the ensuing fiscal year.

Sec. 29. All the property of the town of Derby, the borough of Birmingham, and the several school districts of said town and all rights of action and all securities of said municipalities and liens therefor, including liens for taxes or assessments due the town of Derby, the borough of Birmingham, and the several school districts in said town, are hereby transferred to and vested in said city of Derby, and the city of Derby is hereby made liable for all the debts, dues, bonds, and obligations of every kind and nature of the town of Derby, the borough of Birmingham, and the several school districts of said town, that are now due or may hereafter become due, and shall execute, abide by, and perform all of the duties and obligations and have and exercise all the rights of said town of Derby, the borough of Birmingham, and the several school districts of said town, and any creditor or person whomsoever having any claim or right of action arising out of any contract, obligation, or otherwise against said town, said borough, or said school districts, may enforce the same against the said city of Derby in the same manner as if said claim, right, or obligation had originally accrued against said city of Derby.

Approved, June 7, 1893.

HARTFORD

Special Acts of 1899, Page 354

Concerning the Northwest School District of Hartford

That the resolution passed at the January session of 1897 (special acts, volume XII, page 1032), Changing School District Lines in Hartford, be and it is hereby amended by adding the following section:

Sec. 5. The chairman of the school committee of the Northwest school district, on or before the twentieth day of October in each year, shall file with the town clerk of the town of Bloomfield a sworn statement of the names and the number of persons over four and under sixteen years of age who shall belong, on the first Monday of said month, to that section of the Northwest school district which lies in the town of Bloomfield, together with the names of the parents, guardians, or employers of such persons, as ascertained by the enumeration made during said month according to the provisions of chapter L of the public acts of 1897, and the selectmen of the town of Bloomfield shall cause to be paid annually to the town of Hartford for each person so enumerated the sum of fifteen dollars in discharge of any legal obligation of the town of Bloomfield to contribute towards the cost of maintaining the public schools in said Northwest school district.

MANCHESTER

Special Acts of 1895, Page 408

Ninth School District

Section 1. That the territory and inhabitants within the limits of the Ninth school district of Manchester are hereby made a body politic and corporate by the name of the Ninth School District of Manchester, and shall have all the powers and privileges of school districts under the laws of this state.

Sec. 2. The first meeting of said district shall be held in June, 1895, and shall be called by the present district committee. At said meeting shall be elected, by ballot, a committee consisting of five persons, whose terms of office shall begin July 15, 1895. One of this number shall be elected to hold office until the next annual meeting, two until the second annual meeting, and the remaining two until the third annual meeting thereafter. At each annual meeting of the said district, which shall be held in June, so many members of said committee shall be elected by ballot to hold office for three years as, together with those previously elected to hold office beyond said annual meeting, will make the whole number five; and all members of said committee shall be residents of said district. In case of vacancy caused by resignation, death, or removal from the district, the remaining members of the committee shall fill the vacancy until the next annual meeting of said district, when a member shall be elected for the unexpired term. The chairman of the district committee shall give due notice of all meetings of said district, and may call a special meeting thereof at any time, and shall call one on the written request of twenty legal voters of the district.

Sec. 3. Said committee shall examine, employ, and dismiss teachers, shall determine the number and qualifications of the scholars to be admitted into each school, provided that all children of school age within said district shall be admitted to some one of the schools maintained by said district, may prescribe the course of study to be followed in the schools, and shall exercise all the powers and perform all the duties of district committees and school visitors. The authority of the school visitors of the town in which said district is situated shall extend only to the remaining portion of said town.

Sec. 4. In the town of Manchester, in each year, before the third Tuesday of June, the school visitors shall elect three of their own number, and the committee chosen under the provisions of this resolution shall also elect three of their own number, and these six persons, together with the selectmen of said town, shall be the joint board of the town of Manchester in lieu of that provided for in Section 2234 of the general statutes, and shall have the rights and perform the duties of said joint board prescribed in sections 2234, 2236, and 2237 of the general statutes.

NAUGATUCK

Special Laws of 1895, Page 221

Sec. 6. All burdens and all expenses imposed by law upon the town of Naugatuck, for the support of schools, shall hereafter be borne by said borough; and said borough shall hereafter perform all the duties, and have and exercise all the rights, powers, and privileges of and relative to said purposes and matters by law conferred upon said town; and all laws of the state imposing such duties; burdens, and expenses, and conferring such rights, powers, and privileges upon said town, are hereby amended, so as to be hereafter applicable to, and operative upon, said borough, except as is herein otherwise provided.

Sec. 23. There shall be in said borough a board of education consisting of six electors of said borough. Of the members elected at the annual electors' meeting of said borough in May, 1895, two shall be elected for the term of three years, two for the term of two years, and two for the term of one year, respectively, and at said election in May, 1895, no person shall vote for more than one person for each of the respective terms last above named. At the borough election held on the first Monday of May, 1896, and annually thereafter, two members of said board of education shall be elected for the term of three years, but no person shall vote for more than one member of said board at any election after May, 1895, except for persons to fill vacancies. Vacancies in said board may be filled by the remaining members of said board until the same shall be filled by the voters thereof, but only for the unexpired term. Said board of education shall have all the powers now or hereafter vested in, and shall perform all the duties now or hereafter imposed by law on the school visitors of the several towns in this state. The board of education and the warden and burgesses of said borough shall meet as a

joint board on the second Tuesday in June in each year, and prepare a statement showing the estimated cost of each and all the public schools in the borough for the succeeding school year, and shall immediately thereafter notify the committees of the respective school districts of the several amounts so estimated, and said board of education shall present, at the annual borough meeting, a written or printed statement of the total cost of each and all of the public schools in said borough for the school year next preceding, and shall present an estimate of the cost of such schools for the current school year, at a meeting of the freemen of the borough held in July in each year; and said joint board shall hereafter do and perform all other acts and things that the school visitors and the selectmen of said town of Naugatuck have heretofore done and performed, and as may be hereafter required by law to be done and performed, in the several towns by the board of school visitors and selectmen.

NEW HAVEN

Special Acts of 1899, Page 419

Department of Education

Sec. 104. There shall be in said city a department of education, which shall have the care and management of all the affairs of the New Haven city school district. After this act takes effect no meeting of the New Haven city school district shall be held for any purpose whatever.

Sec. 105. Said department shall be under the control of a board of education of seven members who shall serve without compensation. The members of the board of education in office at the time this act takes effect shall hold their respective offices during the terms for which they were appointed unless sooner removed for cause according to the provisions of this act. On or before the first day of September, 1899, the mayor shall appoint two members of said board to serve four years from the third Monday in September next following; on or before the first day of September, 1900, the mayor shall appoint two members of said board to serve four years from the third Monday of September next following; on or before the first day of September, 1901, he shall appoint two members of said board to serve for four years from the third Monday of September next following; and on or before the first day of September, 1902, said Mayor shall appoint one member of said board to serve for a period of four years from the third Monday of September next following. And on or before the first day of September in every year thereafter the mayor shall fill the vacancies about to occur in said board by appointing one or two members, as the case may be, to serve for four years from the third Monday in September following their appointment. Not more than four members of the same political party shall at any one time be members of said board. The mayor shall fill all vacancies caused by death, resignation, or otherwise, by appointment, for the unexpired term. If the mayor shall refuse, fail, or neglect for thirty days to make an appointment to fill any vacancy that may occur in said board, either by death, resignation, removal, or otherwise, then the remaining members of said board may elect a suitable person to fill such vacancy.

Sec. 106. The board of education shall appoint a superintendent of schools, and shall decide the number of principals, assistants, and teachers to be employed. It may appoint or employ a secretary, an inspector of buildings, and such other officers and employes as may be necessary for the proper conduct of its business. It shall fix their terms of office and their salaries and prescribe their duties in each case, except as hereinafter provided. The officers and employes of the New Haven city school district, at the time of the taking effect of this act, shall retain their respective offices until their successors shall be chosen, and the rules and regulations of the board of education then in existence, not inconsistent with this act, shall remain in full force until repealed. Said board shall have the entire charge and direction of all the public schools of said district, and of the expenditure of all moneys appropriated for the support of the same, and shall have charge of the construction, management, and repair of all school buildings, and shall possess all other powers and be subject to all of the general duties of boards of education,



school committees, and school visitors in this state, so far as the same are consistent with the terms of this act. It shall annually choose a president from among its own members, make its own by-laws, keep a journal of its proceedings, define the duties of its officers and committees, and prescribe such rules and regulations for discipline in said public schools as are not inconsistent with the laws of the state.

Sec. 107. The superintendent of schools, if he has not held the office before, shall be appointed for one year, and if continued in office thereafter may be appointed for a term of five years, and his salary shall not be reduced before the expiration of said term of five years. He shall not be removed during said term except by the vote of five members of the board of education. He shall appoint from those eligible under the rules of the board all principals, assistants, and teachers necessary to fill positions authorized by the board. He shall assign all principals, assistants, and teachers to their respective positions and re-assign them or dismiss them from office at his discretion. He shall report at each meeting of the board all appointments, re-assignments, and dismissals made by him since the previous meeting. Any appointment by the superintendent may be rejected by a vote of five members of the board. Any dismissal by the superintendent shall be final unless reversed by a vote of five members of the board at the meeting when such dismissal is reported. Notice of dismissal on the part of the superintendent shall be given to the principal, assistant, or teacher, by the superintendent in writing at least one week before the meeting of the board when the superintendent reports such dismissal. He shall, with the approval of the board of education, prescribe the courses of study in all the schools, but the text-books to be used in said courses shall be designated by the board. The superintendent shall annually, at a date to be fixed by the board, submit to the board a full report of the work and condition of the schools during the previous year, with recommendations for the ensuing year, which report, when accepted by the board, shall form part of its report to the mayor. He shall also report, each month during the school year, to the board in writing, any changes made in the several courses of study, and what principals, assistants, and teachers he has assigned, re-assigned, or dismissed, and shall furnish such additional information regarding the condition of the schools and the efficiency of the teaching force as may be required by the board. Said monthly reports shall be entered in a suitable book provided for the purpose, and shall be kept as a part of the records of the department.

Sec. 108. The treasurer of the city shall receive the amount of school money to which the district is entitled from the school moneys of the state, from the town of New Haven, from state appropriations for school purposes, from gifts, and from the tax laid within the district for school purposes, which moneys shall be subject to the order of the board of education under such rules and regulations as the board of finance may from time to time establish.

Sec. 109. The board of education shall submit to the board of finance of the city, at the time fixed by law for the submission of the estimates of the other departments of said city, a detailed estimate of its expenses for the next year for which the appropriations for city purposes are by law required to be made, specifying separately the sums needed for current and special expenses.

Sec. 110. Said board of finance shall annually appropriate for the purpose of said district such amount as it may deem necessary for such purposes. Appropriations made for school sites and the building and furnishing of new schoolhouses or additions to old ones shall be known as the special school fund, and it shall be the duty of the board of education to cause accurate accounts to be kept of its receipts and expenditures, distinguishing between those of a general and those of a special character. The board of finance shall levy, for school purposes, a tax upon all property within said district as now or hereafter constituted.

Sec. 111. The board of education shall have power to maintain one or two high schools, as it may deem advisable, and a manual training school, and it shall determine the number and location of primary and grammar schools, but no expenditure involving any expense to the city of New Haven or the New Haven city school district for the purchase of ground or the erection of schoolhouses shall be made until a special appropriation for that purpose shall have been made.

Sec. 112. Said board shall annually, at a date to be fixed by the mayor, transmit to the mayor a full report of its proceedings during the previous year, together with a statement of its receipts and expenditures, specifying those on account of current expenses, and special expenses for land and buildings respectively, with such other details as the mayor may from time to time require.

Sec. 113. Said board shall have power to divide the school district into as many sub-districts as it may deem advisable for the purpose of determining the limits within which children may attend each school.

Sec. 114. The city of New Haven, upon the recommendation of the board of education, shall have power to take sites for schoolhouses, or for the enlargement of sites already acquired, in the manner provided by law for the taking of land for public parks.

Sec. 115. The title to all property, legal or equitable, owned by such district, or which may hereafter be acquired for school purposes in said district, is hereby vested in the board of education, as trustee for said New Haven city school district.

Sec. 116. The Westville school district and the South school district are excepted from the provisions hereof. Whenever the electors of either the Westville school district or the South school district in the town and city of New Haven shall, by a majority vote in district meeting, in the manner provided for the admission of the different wards in section 218 of this act, express their desire to have their district annexed to the New Haven city school district, said vote shall be certified to the board of education of the New Haven city school district, and said board shall then, by a proper vote, declare the district in question to be a part of the New Haven city school district, and it shall thereafter be included in said New Haven city school district, and be governed by all the provisions of this act relating to said district.

NEW LONDON

Special Acts of 1893, Page 699

Sec. 55. All the rights, powers, and duties relative to education, schools, school districts, schoolhouses, school lands, school property, and school officers, of whatsoever kind, heretofore conferred or imposed, or hereafter to be conferred or imposed upon towns, shall be and they are imposed and conferred, within the limits of the city of New London, upon said city, and upon the officers chosen by it for school purposes.

Sec. 56. The school visitors of said city shall continue to be such school officers and shall be charged with and perform all the duties of a school committee and shall have all its powers, and shall act in the place and stead of such committee in all things; and the city of New London shall be substituted for and take the place of the town of New London in all matters concerning education, and shall act instead of said town in all of the same.

Sec. 57. All the powers, obligatory duties, rights, and property of said city of New London, whether as such city, or as a union school district, in respect to education and schools, shall be vested in and belong to said city of New London, which shall be and act, for all intents and purposes, as such union school district, and all such powers and duties of said city shall be exercised and performed by said board of school visitors, unless otherwise ordered by said city.

Special Acts of 1899, Page 264

An Act Annexing a Portion of the Town of Waterford to the Town and City of New London

Sec. 5. The territory hereby annexed shall be a part of the Union school district of the city of New London, and from the time when this act takes effect said city shall assume and become liable for all obligations for the care and expense of schools and education in said territory.

Special Acts of 1899, Page 371

An Act amending the Charter of the City of New London

Sec. 3. The title to the public schoolhouses, school lands, and school property in said city, other than that endowed or specially dedicated by private bequests, shall vest in said city of New London, and shall not be conveyed by deed, lease, or otherwise without the authority of the court of common council of said city.

Sec. 7. The mayor of said city, for the time being, shall be a member, *ex officio*, of the board of water commissioners, the board of sewer commissioners, and the board of school visitors.

NORWICH

Special Acts of 1897, Page 1058

Amending the Charter of the Falls District

Section 1. That the third or Falls school district in the town of Norwich be and the same is hereby made and constituted a body politic and corporate by the name of the Falls District. Said district shall receive its proportion of the public money, shall have entire control of all the schools within its limits, may establish and maintain schools of different grades, and shall have and enjoy all the powers and privileges at present enjoyed by school districts in this state.

Sec. 2. There shall be elected at a meeting held within and for said The Falls District, on the Friday following the second Monday of June, 1897, at 7.30 o'clock P. M., at the schoolhouse in said The Falls District, a committee consisting of seven persons, voters in said district, by ballot and by a majority vote, three of the members of said committee to be elected for one year from and after the date of said meeting, two members of said committee to be elected for two years from and after the date of said meeting, and two members of said committee to be elected for three years from and after the date of said meeting. The terms for which said members are to be elected shall be designated upon the ballot cast for the same, and they and their successors in office shall have the control and management of the schools in said district, examine, approve, employ, and dismiss teachers, prescribe the course of study to be pursued in the schools, and make such by-laws and rules, not inconsistent with the laws of this state, as they shall from time to time deem necessary, choose by ballot and by a majority vote of the said committee a president of said committee, who shall preside at its meetings when present, and at meetings of the district when present, and if the president of said committee shall be absent from any of said meetings then the presiding officer of said meetings shall be selected from any of the voters of said district present, at any of said annual and special meetings of said district, and shall choose in like manner a treasurer of said district from among members of said committee; and shall choose in like manner as aforesaid a clerk of said district; and said committee and their successors in office shall also have the power and authority to borrow money for school purposes upon the credit of said district when authorized by vote of said district. In case of vacancy caused by resignation, death, or removal from the district, the remaining members of said committee by a majority vote shall fill the vacancy until the next annual meeting of said district, when some person shall be elected by the said district for the unexpired term, and said committee shall do and perform all such acts as are now by law devolved upon the district committee of said third school district. The compensation of all of the officers and committees shall be determined by a vote of the district.

Sec. 3. Said committee shall hold its regular meetings on the first Monday of each month, and special meetings may be called by the president upon three days' notice thereof, and shall be called by him upon the written application of four members of the committee.

Sec. 4. The annual meeting of said The Falls District shall be held on the Friday after the second Monday of June in each year, at which meeting said district shall elect, by ballot and by a majority vote of the qualified electors of the

district present and voting, two members of the said committee for a term of three years, to fill the places of the members whose terms of office shall have expired; and shall elect in the manner hereinbefore provided a member or members to fill the unexpired term of any member or members of said committee who shall have resigned, died, or moved out of the district, as provided by section two of this charter, and a collector of taxes. The annual report of the committee and of the district treasurer shall be submitted to said meeting.

Sec. 5. There shall also be elected at each annual meeting for the election of the said committee, in addition to the number specified in section four, by a majority vote, by ballot, a member of said committee who shall hold office for one year from and after the date of his said election.

Sec. 6. The annual tax meeting of The Falls District shall be held on the Friday following the second Monday of June in each year, and the special meetings of the district may be called by the said committee as occasion may require, and shall be called on application in writing of fifteen legal voters of said district.

Sec. 7. The district treasurer and the collector of taxes shall each give a bond to the satisfaction of a committee of three voters of said district, elected by the voters of said district at its annual meeting for the purposes mentioned in this section, conditioned for the faithful performance of their respective duties, and for an accounting of all moneys that may be received by either of them.

Approved, May 26, 1897.

Special Acts of 1899, Page 85

Incorporating the Greenville School District

Section 1. That the Greenville school district in the town of Norwich be and is hereby made and constituted a body politic and corporate by the name of The Greenville School District.

Sec. 2. Said The Greenville School District shall receive its proportionate share of the public money; shall have entire and exclusive control of all the public schools within the limits of said district; may establish, maintain, and manage schools of different grades therein, and shall have and may exercise all the powers and privileges at present enjoyed by school districts in this state.

Sec. 3. The first meeting of said corporation shall be held in the brick schoolhouse in said district on the Friday next following the third Monday of June, 1899, at half-past seven o'clock in the evening, and there shall be held a regular annual meeting of said corporation at the same place and hour on the Friday next following the third Monday of each June thereafter.

Sec. 4. Notice of said first meeting, as well as of all regular and special meetings, shall be given by publishing a notice thereof once in a daily newspaper published in the said town of Norwich, not less than five days and not more than ten days prior to such meeting, and also by posting a copy of such notice on the outside of the main entrance door of said schoolhouse, and a similar copy on the public sign-post nearest to said schoolhouse at least five days prior to the date of such meeting. The notice of said first meeting shall be signed and given by the present district committee of said district, and notice of all other meetings shall be signed and given by the board of education of said corporation. The notice of every special meeting shall state the purpose of such meeting. Special meetings may be called and held as occasion may require and shall be called by the said board upon the written request of not less than twenty of the legal voters residing in said district.

Sec. 5. All the legal voters of said district shall be entitled to vote at all meetings of said corporation, and no other person shall have the right to vote or otherwise to participate in said meetings.

Sec. 6. The officers of said corporation shall be a board of education consisting of six persons, a clerk, a treasurer, a collector, and an auditor, each of whom must be a legal voter residing in said district.

Sec. 7. All of said officers shall be elected by ballot, and a majority of the lawful ballots cast shall be requisite to elect.

Sec. 8. At said first meeting there shall be chosen two members of said board of education to serve for one year from the date of said meeting, two to serve for two years from said date, and two to serve for three years from said date, and the ballots for members of said board cast at said first meeting shall state the number of years for which each member of said board shall serve. At each annual meeting thereafter there shall be elected two members of said board to serve for three years. At said first meeting there shall also be elected a clerk, a treasurer, a collector, and an auditor, each to serve for one year from the date of said meeting; and at each annual meeting thereafter there shall be chosen a clerk, a treasurer, a collector, and an auditor, each for one year from date of election and until their successors are elected and qualified.

Sec. 9. The said board of education shall have the entire and exclusive control, supervision, and management of all public schools within the limits of said school district; and shall possess, enjoy, and exercise all the powers, and shall perform all the duties of school district committees and of school visitors; and the school visitors of said town of Norwich shall cease to have and to exercise any authority in said district when this resolution takes effect.

Sec. 10. Said board of education shall also have the power to make and to enforce proper rules and by-laws for its own government, and for the management of said corporation and of its affairs; and to amend, alter, or suspend the same; and to choose such officers of said board as it may deem requisite, including a president thereof.

Sec. 11. The president of said board shall preside at all the meetings thereof, as well as at all meetings of said corporation, but in case the president is absent, or when there is a vacancy in his office, his duties shall be performed by such other member of said board as shall be designated by vote of the remaining members of said board; provided, that at the said first meeting of said corporation the legal voters present shall elect *viva voce* the presiding officer of said first meeting.

Sec. 12. The auditor shall duly examine all the books, accounts, and vouchers of said corporation and of its officers, shall make a true and full report of his examinations and doings, when and as required by the rules and by-laws adopted by said board; and shall perform such other duties as said board may impose on him. The other officers shall discharge the duties, and shall have and exercise the powers and privileges of the corresponding officers of said school district, as constituted before the creation of said corporation.

Sec. 13. Said board shall hold meetings for the transaction of business at such times and places as shall be determined by said board, and a majority of the members thereof shall constitute a quorum for the transaction of all proper business.

Sec. 14. Said board shall have full and exclusive power to examine, employ, and dismiss teachers for the public schools in said district, and also to perform all the duties and to exercise all the powers and privileges now possessed and enjoyed by school district committees in this state.

Sec. 15. Said board of education shall have power to borrow money for the legitimate needs of said corporation, upon the credit of said corporation, and to execute and negotiate its suitable obligations therefor.

Sec. 16. The treasurer and collector shall each furnish a bond, with surety or sureties satisfactory to said board and conditioned for the faithful performance of their respective duties; and no person shall enter upon the duties of the office of either treasurer or collector until his bond shall have been accepted and approved by said board.

Sec. 17. Said board shall fix the compensation of all officers and of all other employees of said corporation.

Sec. 18. At each annual meeting after June 23, 1899, there shall be presented written reports of the treasurer and the board of education for the preceding twelve months, and a written estimate by said board of the receipts and expenses of the twelve months following.

Sec. 19. Any vacancy in any of said offices shall be filled by said board, or the remaining members thereof, until the next annual meeting.

Sec. 20. This act shall take effect on the twenty-third day of June, 1899, on the organization of the first meeting of said corporation as provided in said act; and the terms of all the present officers of the Greeneville School District shall terminate at the time this act takes effect as herein provided; and the report of the officers of said district shall be made at said first meeting.

ORANGE

Special Acts of 1899, Page 269

An Act concerning the Union School District of Orange

Section 1. The Union School District of the town of Orange may, at its next annual meeting, vote upon the question of whether or not said district will adopt the form of school government provided for in sections 2130, 2131, 2132, 2133, and 2134 of the general statutes, and if a majority of the voters of said district shall at said meeting vote in favor of adopting said form of government, then the officers of said district elected at said annual meeting shall hold office until the third Monday of September, 1899.

Sec. 2. If said district shall vote to adopt said form of government, then said district shall hold its annual meeting on the third Monday of September, 1899, and annually thereafter; and at the annual meeting held on the third Monday of September, 1899, elect the officers provided for in said section 2130 of the general statutes, and shall elect two members of a board of education to serve for one year, two members to serve for two years, and two members to serve for three years, and annually thereafter two members to serve for three years, as provided in said statutes.

Sec. 3. Upon said district voting as herein provided, and upon the election of officers of said district as provided in section two, said district and said officers shall have all the powers, rights, and duties, and be subject to all the obligations imposed upon school districts so organized as provided in sections 2130, 2131, 2132, 2133, and 2134 of the general statutes, and all other acts relating to school districts so far as the same are applicable; and in case of a vacancy occurring in any office, the board of education may fill the same till the next annual meeting.

Sec. 4. The adoption by said district of said form of government shall in no manner affect the rights, property, or obligations of said school district, but the same shall continue in the same manner as if this act had not been passed, and shall be administered, adjusted, and liquidated by said district and by the officers elected in pursuance of this act, in lieu of the officers now administering the same, and all debts due said district and all obligations due from said district shall be collected and paid by said district and by the officers elected hereunder, to the same extent as if this act had not been passed.

Sec. 5. If said district shall vote to adopt said form of government, the school visitors of the town of Orange shall only have jurisdiction in the remaining portion of the town after the third Monday of September, 1899.

Sec. 6. This act shall take effect from its passage.

WATERBURY

Special Acts of 1899, Page 498

An Act in addition to an Act Revising and Amending the Charter of the City of Waterbury

Section 1. The territorial limits of the body politic and corporate existing under the name of the city of Waterbury shall hereafter include all land and territory situated within the limits of the Center School District of Waterbury as now or hereafter defined.

Sec. 2. There shall be in the city of Waterbury a department of education which shall have the care and management of all the property and affairs of the Center school district of Waterbury. After this act shall take effect no meeting of said Center school district shall be held for any purpose whatever.

Sec. 3. Said department shall be under the control of the board of education, consisting of the mayor, who shall be *ex officio* chairman, and seven members, who shall be elected biennially at the meetings of said city for the election of officers; and for this purpose separate ballots shall be provided in the several voting places in said city. The terms of office of said members shall begin on the first Monday of January next following their election, and the provisions of the charter of said city in relation to the powers and duties of city officers shall apply to said members.

Sec. 4. No person shall vote for more than four members of the board of education. If any ballot found in said boxes shall have the names of more than four persons for members of said board, the first four names only shall be counted, and the seven persons of the whole number voted for and counted as aforesaid having the highest number of votes shall be declared elected members of the board of education of said city. In case a vacancy shall occur in said board by reason of a tie vote, or death, resignation, or removal, or any other cause, such vacancy may be filled in the manner now provided for filling vacancies in other city offices.

Sec. 5. The members of said board of education shall receive such compensation for their services as shall be prescribed by the board of aldermen.

Sec. 6. Said board shall hold regular meetings every month, and special meetings at such times as it may appoint or the mayor may call. Except in case of a tie, the mayor shall have no vote in any meeting.

Sec. 7. The board of education shall appoint a superintendent of schools, and shall decide the number of principals, assistants, and teachers to be employed. It may appoint or employ a clerk, an inspector of buildings, and such other officers and employes as may be necessary for the proper conduct of its business. It shall fix their salaries, subject to the approval of the board of finance, and prescribe their terms of office, and their duties, in each case, except as hereinafter provided. The officers and employes of the Center school district, at the time when this act shall take effect, shall retain their respective offices until their successors shall be chosen and duly qualified, and the rules and regulations of the board of education and district committee then in existence, not inconsistent with this act, shall remain in full force until repealed. The board of education herein provided for shall have the entire charge and direction of all the public schools of said district, and of the expenditure of all moneys appropriated for the support of the same, and shall have power to construct, manage, and repair all school buildings, and shall possess all other powers and be subject to all of the general duties of boards of education, school committees, and school visitors in this state, so far as the same are consistent with the terms of this act. It shall make its own by-laws, keep a journal of its proceedings, define the duties of its officers and committees, and prescribe such rules and regulations for discipline in the said public schools as are not inconsistent with the laws of the state.

Sec. 8. The superintendent of schools shall be appointed for the term of two years, and his salary shall not be increased or decreased during any term except in the manner provided by the charter of said city. He shall not be removed during said term except by the vote of five members of the board of education. He shall appoint from those eligible under the rules of the board, all principals, assistants, and teachers necessary to fill positions authorized by the board. He shall assign all principals, assistants, and teachers to their respective positions, and re-assign them or dismiss them from office at his discretion. He shall report at each meeting of the board all appointments, re-assignments, and dismissals made by him since the previous meeting. Any appointment by the superintendent may be rejected by a vote of the majority of the board. Any dismissal by the superintendent shall be final unless reversed by a vote of a majority of the board at the meeting when such dismissal is reported. Notice of dismissal on the part of the superintendent shall be given to the principal, assistant, or teacher by the superintendent in writing at least one week before the meeting of the board when the superintendent reports such dismissal. He shall, with the approval of the board of education, prescribe the course of study in all the schools, but the text-books to be used in said courses shall be designated by the board. The superintendent shall

annually, at a date to be fixed by the board, submit to the board a full report of the work and condition of the schools during the previous year, with recommendations for the ensuing year, which report, when accepted by the board, shall form part of its report to the mayor. He shall also report, each month during the school year, to the board in writing, any changes made in the course of study, and what principals, assistants, and teachers he has assigned, re-assigned, or dismissed, and shall furnish such additional information regarding the condition of the schools and the efficiency of the teaching force as may be required by the board. Said monthly reports shall be entered in a suitable book provided for that purpose, and shall be kept as part of the records of the department.

Sec. 9. The treasurer of the city shall receive the amount of school money to which the district is entitled from the school moneys of the state, from the town of Waterbury, from state appropriations for school purposes, from gifts, and from the tax laid within the district for school purposes, which moneys shall be subject to the order of the board of education under such rules and regulations as the board of finance may from time to time establish.

Sec. 10. The board of education shall submit to the board of finance of the city, at the time fixed by law for the submission of the estimates of the other departments of said city, a detailed estimate of its expenses for the next year for which the appropriations for city purposes are by law required to be made, specifying separately the sums needed for current and for special expenses.

Sec. 11. The provisions of sections 92 and 93 of the charter of the city of Waterbury shall apply to such estimates, and to all taxes and appropriations based thereon; but no tax shall be laid upon any property lying outside of the present limits of the city of Waterbury and within the limits of said city as hereby established at a rate exceeding one-half of the rate of taxation upon property lying within the present limits of said city.

Sec. 12. The board of education shall annually, at a date fixed by the mayor, transmit to the mayor a full report of its proceedings during the previous year, together with a statement of its receipts and expenditures, specifying those on account of current expenses and special expenses for land and buildings respectively, with such other details as the mayor may from time to time require.

Sec. 13. Said board shall have power to divide the school district into as many sub-districts as it may deem advisable, for the purpose of determining the limits within which children may attend each school.

Sec. 14. The city of Waterbury, upon the recommendation of the board of education, shall have power to take sites for schoolhouses, or for the enlargement of sites already acquired, in the manner provided by law for taking of land for public parks.

Sec. 15. The title to all property, legal or equitable, owned by said district, or which may hereafter be acquired for school purposes in said district, is hereby vested in the board of education, as trustee for said Center School district.

Sec. 16. Nothing in this act shall be construed to restrict the right of any woman to vote at any meeting held for the purpose of choosing any officer of schools, or for any educational purpose under the general or special laws of this state, and nothing herein shall confer upon any woman the right to vote for the mayor of said city of Waterbury or any other city officer.

Special Acts of 1899, Page 339

Concerning the Bucks Hill School District of Waterbury

That all that part of the Bucks Hill school district of the town of Waterbury lying on the southerly side of a line drawn from the southwesterly corner of said district to a point in the Bucks Hill highway opposite the dividing line between property of Henry Simpkins and E. Goodenough, adjacent to said highway, and from thence easterly to the southeast corner of said district, with all persons now and hereafter residing on said territory be and hereby are transferred to the center school district of the town of Waterbury, to which latter district they shall hereafter belong.

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